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PUPIL TRANSPORTATION



A GUIDE FOR MASSACHUSETTS SCHOOL ADMINISTRATORS

MASSACHUSETTS DEPARTMENT OF EDUCATION
1986

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Publication #14561-212-1500-9086
Approved by Daniel Carter, State Purchasing Agent

INTRODUCTION

On numerous occasions, school committees, school administrators, lawmakers, and the general public have requested information concerning pupil transportation services. This Manual has been designed to meet the need for information as a result of the growth of pupil transportation services and is a compilation of suggested guidelines, pertinent statutes, rules and regulations, and Department of Education policies as they relate to pupil transportation.

Changes have been made continually to fit the conditions of the times; and as changes were made in the past, they will undoubtedly be necessary in the future. The Manual is intended to aid personnel in the local education agencies in providing a safe, efficient, and economical pupil transportation system. It has been prepared in looseleaf format so that addition and withdrawal of pages will be simplified. The intent is to keep this document current, complete, and to provide a working tool to cover as many situations as possible in the administration of the transportation program. As new policies are adopted or old ones deleted, pages will be added or withdrawn.

Harold Raynolds, Jr.
Commissioner of Education

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I. ADMINISTRATION

Educational needs of students provided by schools located in areas which are beyond walking distance for the school attending child necessitate the use of school buses. Safety of students attending schools of greater distance from their homes becomes a factor in providing transportation services which would assure safe travel to and from schools. Flexibility for moving pupils from one area of instruction to another in order to afford an expanded educational program also encourages the greater use of transportation services. The suggested administrative guidelines are as follows:

A. State Administration Should Provide

1. Leadership in the development of a comprehensive pupil transportation program for state-wide application by the Department of Education, Department of Public Utilities, Registry of Motor Vehicles, and other regulatory agencies.

2. A clear, concise pupil transportation policy.

3. A state-wide management information system to accommodate pupil transportation data, i.e., costs, accidents and injuries, manpower availability, etc.

4. A promotion of pupil transportation safety program utilizing community, legislature, media, law-enforcement agencies, and other state agencies concerned with pupil transportation.

5. A manual or handbook for local pupil transportation supervisors and school administrators containing detailed instructions for implementing the state's pupil transportation policies.

6. A manual or handbook for each school bus driver containing the state pupil transportation regulations.

7. Workshops, seminars and/or conferences for all pupil transportation personnel.

8. Safety and ridership curricula for pupil passengers.

9. Annual review of local school systems to evaluate transportation systems and provide direction as necessary.

10. Coordination with other agencies having responsibility for pupil transportation services.

B. **Local Administrators Should**

1. Implement the state pupil transportation policy.

2. Become involved in the pupil transportation operation within their jurisdiction, including participation in training programs for all transportational personnel; review of school bus routes, provisions for supervision of loading and unloading areas at or near the school; investigation and reporting of accidents and other transportation problems; and evaluation of the pupil transportation system.

3. Provide resource material and require teachers to include instruction in passenger safety in the school curriculum, in compliance with Chapter 90, Section 7B of the General Laws of Massachusetts.

4. Provide close continuous supervision of loading and unloading areas at or near the school and emergency evacuation drills, in compliance with Chapter 90, Section 7B of the General Laws of Massachusetts.

5. Provide adequate supervision for pupils whose bus schedules require them to arrive at school before classes begin and/or remain at school after classes terminate.

6. Promote public understanding of, and support for, the school system's transportation program.

7. Develop local pupil transportation policies and regulations, including special education transporttion policies.

8. Assist and advise school bus drivers on pupil management.

9. Organize and assign school safety patrols for riders and walkers when deemed necessary.

10. Optimize the use of school transportation vehicles.

II. POLICY PROCEDURES

A. Policy:

State statutes establish the responsibility of the School Committee to provide transportation services for pupils transported to and from home and school and to and from educational programs. With respect to pupils being transported, a written policy statement is required to provide the school committee, administrators, school bus contractors, pupils, and parents with uniformly applied guidelines. Such a policy should be widely disseminated and clearly understood by all. This facilitates impartial administration and consistent operation, provides a convenient, accessible statement of the objectives of the system, and affords a better understanding of the relationship of the transportation operation to the educational system. Following are examples of the subjects that should be treated in the written policy document:

1. Procedures for determining eligibility for pupil transportation service, specifying the extent of the transportation.

2. Procurement of equipment and supplies, maintenance and inspection procedures, and time period over which equipment will be depreciated.

3. Driver recruitment, selection, instruction, placement, and supervision.

4. Determination of geographical areas in which the school will provide transportation services.

5. Principles of routing, establishing stops, and scheduling buses.

6. Use of special lighting and signaling equipment on school buses.

   a. Alternately flashing signal lamps shall be used when the bus is stopping or stopped for the purpose of taking on or discharging passengers, as follows:

      (1) Alternately flashing amber lamps are to be used to warn motorists that the bus is stopping to take on or to discharge passengers.

      (2) Alternately flashing red lights are to be used to inform motorists that the bus is stopped on the roadway to take on or discharge passengers.

   b. When a stop arm is used, it shall be operated simultaneously with the flashing red signal lamps.

c. A white flashing strobe light may be used to increase the visibility of the school bus on the highway during adverse visibility conditions.

7. Policy with regard to standees, no standees and the length of time in transit, services to be provided, including pupils entitled to transportation by law and the conditions, if any, under which it will be provided to pupils who do not qualify.

   a. Each occupant shall be properly seated and no standees will be permitted while the bus is in motion, as required under Chapter 90, Section 7L of the General Laws of Massachusetts.

   b. If standees are allowed, the legal number of standees does not exceed twenty-five percent (25%) of the legal seating capacity of the vehicle, as required by Chapter 90, Section 7B of the General Laws of Massachusetts. Standees on school buses should be disallowed whenever possible in order to maximize the safety of students being transported.

8. Policy with regard to the transportation of non-public school pupils.

   a. Such policy shall be determined by State Statute and any applicable State regulations or case law.

9. Policy relative to the supervision of pupils while loading and unloading at school sites, while enroute and at school prior to the beginning and following the end of classes.

   a. Local school districts shall be responsible for such policy development.

   b. Rules of behavior for all transported pupils, including the discipline procedures, should be described.

   c. Person responsible for the enforcement of such rules of behavior should be designated.

10. Procedures to be observed in the employment of adult monitors to supervise the loading, transportation, and unloading of pupils requiring special care.

11. Procedure for evaluating the school transportation system and how frequently this should be done.

12. Procedures for the use of buses for extracurricular activities and by other groups permitted by law.

13. Policy relative to the availability and use of late buses.

14. Policy to conserve the use of energy.

B. **Planning:**

Consideration should be given to the safety of pupils riding school buses. School buses will be required to utilize the roads in and around the school site, plus public roadways leading into and from the school area. High density traffic flow near school exits and entrances should be avoided. Proper site selection and plant planning for improved school transportation is extremely important. More specifically, school officials should provide the following:

1. Separate and adequate space for school bus loading zones.

2. Clearly marked and controlled walkways through school bus zones.

3. Traffic flow and parking patterns separate from the boarding area.

4. A separate loading area for wheelchairs.

5. An organized schedule of loading areas with stops clearly marked.

6. A loading and unloading site to eliminate the backing of transportation equipment.

C. **Routing and Scheduling:**

Good routing is based on safety, efficiency, and economy. The following ground rules are recommended:

1. Routes should begin at the periphery of the district or attendance area and follow the shortest and safest way toward the school.

2. Bad road conditions and heavy traffic should be avoided.

3. Routes should include as many dead-head miles as possible--that is, miles over which no loading or unloading of children is necessary.

4. Routes involving railroad crossings, narrow bridges, steep hills, etc., should be traversed with as small a load as possible.

5. Buses should make multiple trips--that is, pick up children on one route, deliver them to school, then run a second and maybe a third route.

6. The number of stops for loading and unloading should be minimized.

7. Routes should be equalized in terms of miles, for the sake of even depreciation of the fleet and a regular pattern of replacement.

8. No two buses should go over the same road except when dead-heading. This minimizes the chances for children to ride any bus that comes along, thereby overloading one while another runs nearly empty.

9. Pickups on four-lane highways and other heavily traveled roads should be made on the residence side of the road.

10. Expressways should be used for express runs and dead-heading only.

11. Routes should avoid private roads, dead-end roads, and trailer camps.

12. No state laws or Department of Education policies should be violated.

13. Under certain circumstances feeder units should be used--that is, cars, station wagons, or small buses for transporting children over roads inaccessible to large buses.

It is necessary to procure a map of the area served by a particular school or school system in order to establish bus routes that will adequately meet the needs of pupils in a particular area. Information on road conditions, railroad crossings, and other factors that might affect the particular operation should be recorded along with the location of homes and the number of school age children in each. Satisfactory school bus stops must be identified along streets and highways where buses can travel with the least amount of risk. The number of pupils to be transported and the distance to be traveled are primary factors in allocating equipment for a particular area. Pupils should be assigned to specific stops according to walking distances, gradelevel, and the school attended. Special attention must be given to the handicapped, There are a number of possible approaches to laying out school bus routes. Five routing techniques are among the most frequently used. They emphasize the necessity for pupil safety program efficiency and operational economy.

14. **Shoestring Routes.** The shoestring route holds the number of miles a pupil must ride to a minimum and is the most economical if the driver lives in the vicinity of the first pupil pick-up and works in or near the attendance center during the day.

15. **Circular Routes.** "Circular" routes enable the first pupil who boards the bus in the morning to be the first one to disembark in the evening.

16. **Retracing Routes.** Retracing routes should be avoided, except when pupils would be subjected to greater than ordinary risk crossing the road after alighting from the bus. In these instances, retracing will eliminate the need for the pupil to cross the roadway.

17. **Double Routing.** Double routing permits one bus to transport more than one load of pupils but requires careful planning, including school scheduling.

18. **Emergency Routes.** Emergency routing should be established in all school systems. When weather or road conditions dictate that it is not safe to travel on other than hard-surfaced roads, an announcement can be made by radio or other means that such routings will be used on that particular day or days.

A survey should be conducted by the local school administration for the purpose of identifying factors that might indicate a route change. After the survey is completed, a time study should be made by driving over the route in the same equipment that will be used in the actual operation. The driver(s) who will operate over the route(s) should regard the trip as a "dry run". All scheduled stops should be made; "live" and "dead" mileage should be recorded; distance and time between stops should be indicated, etc. These data, if obtained accurately, will permit the development of a schedule which probably will need little revision once it is placed into effect. After the route has been definitely established, a schedule showing individual stops should be available in the bus for the information of substitute drivers.

Each request for new or additional service should be investigated thoroughly before making a change. The investigation often reveals characteristics about the area that would make a change in service unsatisfactory until certain conditions were corrected. It should be remembered that a stopped school bus presents a hazard when operating on thoroughfares where relatively high speeds or high traffic volume prevail. It is usually unwise for buses to take on or discharge passengers on main arteries.

Each stop should be established only after thorough investigation has revealed the location to be the most desirable in the area. It is considered poor practice to negotiate a "U turn" on main arteries of traffic even though provisions may have been made for such turns. The projection of the rear end of the bus into inside traffic lanes from medians that are too narrow to accommodate its length often creates traffic interference that places the lives of transported

pupils in jeopardy. Further, it is desirable to eliminate, insofar as possible, the necessity to turn the bus by backing. Bus stops should be located at a distance from the crest of a hill or curve to allow motorists traveling at the posted speed to stop within the sight distance. Additional precautions should include but may not be limited to the following:

a. Determine the location and destination of all pupils to be transported.

b. Provide the driver, the school of attendance, and the transportation office with the following information:

(1) List of pupils on the bus(es).

(2) Approximate times for pick up and return of pupils.

(3) Map indicating routing of the bus and pupil locations.

c. Provide the parents or guardians of all pupils with the driver's name, bus number, pick up and return times, school closing information, school calendar, etc.

d. Determine the advisability of utilizing the concept of computerized scheduling.

e. Plan bus routes that will permit optimum pupil safety, program efficiency and operational economy.

D. **Computerized Routing and Scheduling:**

It can be difficult to adopt the recommended practices for good routing and scheduling without some sort of system that allows for changing routes in minutes instead of hours or days, as is often the case. Under the manual approach, routes may become patched to the degree that they no longer satisfy fundamentals of safety or economy in terms of either dollars or time. To lay out new routes or improve old routes with all the variables involved is a formidable task which has been done manually for years, sometimes with pin maps, sometimes with card files. The manual routing system cannot absorb changes rapidly without sacrificing route balance, and it cannot control large numbers of vehicles and drivers while retaining enough flexibility to apply variable operating conditions down to the individual stop, road link, or vehicle level. The manual system cannot give the administrator the needed transportation information without considerable expenditure of time and effort.

Initiating a computerized routing system can be frustrating and discouraging to say the least. For those who "stick with it", the rewards are many. Reliable and inexpensive microcomputers are available as well as operational and tested software that can perform all the tasks needed to load, route, and schedule school buses.

Computerized school bus routing and scheduling helps pupil transportation supervisors to minimize transportation costs, fleet travel time, and the number of vehicles in operation. The cost of implementing computerized routing and scheduling systems varies with the magnitude of the school bus operation using the system as does the time it takes for a system to pay for itself via cost reduction.

A computer cannot really be used to make all the routing decisions for a transportation supervisor. Routing is more art than science. Human imagination is still needed to properly develop a route with the safety and convenience of the stops in mind. The computer is simply an aid to doing this.

E. Inspection of Equipment:

A thorough and systematic inspection procedure is the essence of a planned preventive maintenance program. Daily routine inspection will alert the driver to the need for minor repairs and adjustments. Failure to conduct such inspections for any sustained period of time could result in more extensive repairs at a later date. Inspection, therefore, is an indispensable factor in a safe school transportation sytem.

Inspection of school transportation vehicles is required by the Registry of Motor Vehicles according to its rules and regulations, as required under Chapter 90, Sections 7A and 31 of the General Laws of Massachusetts.

The school bus driver is the key to an effective daily inspection program. It is the driver's responsibility to make a planned and systematic inspection of the bus before each trip. A recommended procedure requires the conducting of both stationary and operating inspections. The following outline is not suggested as a model for use but is included as a guide for transportation personnel to use in developing a systematic inspection procedure:

1. Stationary Inspection

a. Pre-starting inspection:

(1) Observe the bus for evidence of oil, fuel, or water leaks, vandalism, etc.

(2) Raise the hood and make sure the safety latch or hinge is in hold position, then check oil, water, belts, hoses, and wiring for frayed, cracked and/or deteriorated conditions.

b. **Walk-around inspection:**

Place the transmission in neutral and set the parking brake (fully depress the clutch pedal in manual transmission equipped vehicles). Start the engine and inspect the bus from top to bottom and end to end. Check for the following:

(1) **Tires:** underinflated, flat, excessive wear or damaged.

(2) **Wheels:** loose or missing nuts, excessive corrosion, cracks, or other damage.

(3) **Fluid leaks:** evidence of wetness on inner wheels and tires.

(4) **Windshield and driver's side window:** all school bus windows should be clean.

(5) **Mirrors:** adequate view to the rear is essential for safety. They must be clean, properly aimed, and tightly adjusted.

(6) **Warning systems:** running lights, back-up lights, all signals and signs, reflectors, turn signals, stop lights, and warning flashers must be clean and working properly

(7) **Exhaust system:** sagging exhaust pipes, short and leaky tailpipes, and defective mufflers must be repaired and replaced.

(8) **Emergency exits:** must be tightly sealed to prevent possible entrance of dangerous carbon monoxide fumes. (Check by opening and closing to keep hinges operational and to check functioning of warning buzzer.)

c. **Inside safety check:**

(1) The passenger compartment, seats, frames, emergency exits, and windows must be carefully checked.

(2) Inspect instruments and controls. With the engine operating, check the following:

(a) Vacuum or air pressure gauge or hydraulic indicator lights: these should indicate adequate capacity to operate brakes. Loss of air or hydraulic pressure or vacuum indicates a braking deficiency that must be corrected immediately.

(b) Oil pressure gauge: the engine should be turned off in the event of inadequate pressure and the situation reported immediately.

(c) Warning lights:

1. **Oil pressure warning light:** prolonged displaying of the warning light is a signal of oil pressure problems and should be reported immediately.

2. **Service brake warning light:** a light on during the braking application indicates that the brake system is not operating properly.

3. **Alternator/Generator warning light:** a continuous light "on" after the engine is running indicates a malfunction in the charging system.

4. **Ameter and/or voltmeter:** any continuous discharge should be reported immediately.

5. **Water temperature gauge or warning light:** the indicator should always read "cool" or "warm". If it indicates "hot", the engine should be stopped immediately. The same action should be taken if the temperature warning light goes "on".

d. **Check each of the following for proper operation, adjustments, or condition:**

(1) Directional signals

(2) Stop light and signals

(3) Special warning lights

(4) Emergency flashers

(5) Clearance and marker lights

(6) Headlights

(7) Interior bus lights

(8) Stop arm control, if so equipped

(9) Windshield fan and defroster

(10) Heaters

(11) Horn

(12) Service door and control

(13) Rear view and side view mirrors

(14) Fuses and emergency equipment

(15) Driver's seat

(16) Driver's seat belt

(17) Fire extinguisher

(18) First aid kit

(19) Wipers/washers

(20) Sanders, when equipped

2. **Operating Inspection:** A planned road check enables the driver to evaluate the steering, suspension, clutch, transmission, driveline, engine, and brakes. The following items should be included when "road checking" the vehicle prior to transporting pupils:

   a. **The Parking Brake:** check by slowly engaging the clutch while the parking brake is "on". (In some air brake systems, the parking brake will remain applied if there is a partial or complete air pressure loss in the service brakes.)

   b. **Transmission Operation:** an automatic transmission should not slip, and a manual transmission should allow for easy and smooth gear changes throughout the entire shifting range.

   c. **The Clutch:** the clutch should engage easily and smoothly without jerking, slipping excessively, or "chattering". A properly adjusted clutch should have some "free play" when the pedal is fully released.

   d. **Service Brakes:** test at low speeds--bring the bus to a complete stop. It should stop in a "straight line" . . . without skidding, swerving, or pulling to one side.

   e. **The Engine:** never race a cold engine. Instead increase speed slowly so that all parts may be properly lubricated.

f. **The Steering**: report any unusual ride or handling characteristics.

g. **The Suspension**: report any unusual ride or handling charcteristics.

Not all drivers have the ability to spot every problem; however, all school bus drivers should make a thorough stationary and operating inspection of their bus each day. "Inspection" to them becomes an integral part of driving, and they are always alert to any warning signal which tells them something is wrong. This continued alertness permits them to spot trouble and act accordingly before the trouble causes serious damage or contributes to an accident.

F. **Maintenance of Equipment**

1. Teamwork and written policies are essential to a well organized maintenance program.

a. Strong and reasonable school bus maintenance policies should be adopted that will provide efficient guidelines for the following:

(1) Director of transportation

(2) Maintenance personnel

(3) Operators of the vehicles

b. Such policies should include the maintenance.

2. Planned maintenance may be defined as scheduled maintenance that involves making minor repairs and adjustments which, if neglected, may develop into major difficulties, thereby necessitating extensive and expensive repairs in addition to the costly "down time".

a. Manufacturers' service manuals and warranty protection guidelines contain valuable information for successful preventative maintenance programs. These instructions and procedures should be carefully followed for maximum efficiency and safety in fleet operation. Vehicle manufacturers and component suppliers (transmissions, electrical, etc. manufacturers) offer excellent training for fleet mechanics. Those interested in efficient operations will take advantage of these outstanding training programs.

b. Objectives of a planned maintenance program follow:

(1) Keeping the vehicles in safe and efficient operating condition.

(2) Preventing road failures.

(3) Conserving fuel.

(4) Lowering the maintenance cost by reducing the need for major repairs or overhaul.

(5) Extending the useful life of the vehicle and its components.

(6) Enhancing the appearance of school buses.

3. School districts or private contractors should develop a system whereby written communication would allow interchange and feedback relative to maintenance work needed and maintenance work completed. An efficient system should include the following:

a. Driver's report form to initiate needed maintenance.

b. Mechanic certification of completed work.

c. Method of permanently recording repairs and maintenance history of each vehicle.

G. Records

1. **Accident records.** The following should be included on all school bus accident report forms:

a. A signed and dated statement from the driver concerning the particulars of the accident.

b. A description and estimate of damage costs to all vehicles.

c. A list of all persons injured, including home addresses and home phone numbers, a description of personal injuries, and appropriate narrative explanations.

d. A list of passengers and witnesses, including addresses and phone numbers. A signed statement by witnesses is desirable, if obtainable. (Cards for witness signatures and statement should be carried in bus at all times.)

e. A description of drivers involved, including name, date of birth, sex, years of driving experience, license number, and occupation.

f. Cost of repairs and other type follow-up information should be added to the accident report wherever it is filed, i.e., in federal, state, or local offices, so that the record of the accident is complete. Other pertinent information relating to the accident that should be added later includes the following:

(1) Dispositon of any litigation.

(2) Disposition of any summonses.

(3) Net effects of all personal injuries sustained, including medical care, physician's fee, hospital expenses, etc.

(4) Amount of property damage other than to vehicles involved.

(5) Action taken against the school bus driver, e.g., suspension or dismissal.

(6) Summation of the driver's total accident record so that each completed report form will contain a listing of the total number of accidents that the driver has experienced.

2. **Personnel Records.** The following types of information should be maintained on all employees:

a. **Employee**

(1) Application, including occupational history, present occupation, previous employment, age, sex, vehicle driving experience, marital status, military service record (if applicable), and formal training.

(2) Confirmed work history.

(3) Driving record.

(4) Criminal record.

(5) Military record (if applicable).

(6) Physical examination.

(7) Training and testing

(a) behind-the-wheel

(b) knowledge

(c) hours of instruction

(8) Payroll record.

(a) absences, cause

(b) current wages

(c) years of service

(9) Complaints, commendations, evaluations, etc.

b. **Organizational**

(1) Number employed

(2) Number of staff employed by job description.

(3) Wage scales

3. **Route records**

a. **Type of routes**

(1) Number

(2) Designation

b. **Route description**

(1) Pickups, by locations and times

(2) Route time

(3) Type of vehicle required

c. **Route miles**

d. Special education pupils' information to include medical history, medical procedures, and emergency phone numbers.

4. **Maintenance records**

a. **Type**

(1) Line setting tickets

(2) Work orders

(3) Preventative maintenance records

b. **Vehicle depreciation**

c. **Equipment specifications**

5. **Cost records**

   a. Vehicles

   b. Type

6. **Accounting and pupil records.** The following is a minimum list of essential information which should be provided by a system of records and reports for school transportation:

   a. Records listing names and numbers of pupils transported on each bus, with scheduled time for loading and unloading on each trip.

   b. Any change of status of any pupil during the school year.

   c. All necessary pupil information for claims for reimbursement and financial reports filed with the Department of Education.

   d. Monthly and annual record of total mileage of each bus.

   e. Record of mileage of each bus on extracurricular activities, field trips, and excursions.

   f. Expenditure documents, e.g., ledgers, warrants, bill schedules, invoices, purchase orders, payroll schedules, and revenue ledgers.

   g. Other municipal records, e.g., municipal accountant and treasurer records.

   h. Criteria useful in determining whether or not the program is safe, efficient, and economical that should include the following:

      (1) Topography of the school district

      (2) Number of multiple runs made by buses

      (3) Length of bus routes and time on a bus

      (4) Pupil population density

      (5) Pupil capacity of the school bus

      (6) Ratio between the number of high school and elementary pupils transported

      (7) Number of unoccupied seat spaces

(8) Number of special routes for kindergarten and special education students

i. Written school committee policy as to pupil transportation.

j. Invitations to bid, bids and contracts which include schedules, routing, safety, efficiency, and financial data.

k. Categorical claims for reimbursement, e.g., special education, vocational education, bilingual education, etc.

l. Transportation routes and numbers of pupils assigned to buses.

H. Emergency Procedures

Each school system should have an emergency plan. This plan should be carefully thought through and developed in cooperation with all those whose services would be required in the event of various types of emergencies. The school transportation director, school administrators, teachers, drivers, maintenance and service personnel, pupils, and others should be instructed in the procedures to be followed in the event of the following:

1. **Accident.** The plan should spell out precisely what is to be done, e.g., how to prevent further accidents; how to evacuate and control pupils; how to evaluate the need for medical assistance; how to get help from the police, the fire department, and the garage; and how to collect and record data essential to the preparation of the required accident reports. An operational plan to provide two-way communication with parents and/or guardians is imperative.

2. Sudden **Disability of Driver.** Procedures for handling situations resulting in the fatal injury or disability of the bus driver should be established and communicated to appropriate persons.

3. **Road Failure.** The emergency plan should cover the procedure for securing the bus, disposition and control of the passengers, diagnosing the cause(s) of the road failure, notification of school officials, securing alternate equipment, repair procedure, and recovery of the disabled school bus.

4. **Inclement Weather Conditions.** The emergency plan should provide procedures for when the schools are to be closed or when the schools are to be closed early; the person responsible for making these decisions; how decisions are to be relayed to parents, pupils, school officials and staff (including teachers and cafeteria manager), drivers, contractors, maintenance and service personnel, the news media, and others. Other natural phenomena that might affect the school bus operation should also be included in the plan under this general heading, e.g., floods, hurricanes, and tornadoes.

5. **Other Type of Emergency Situations.** The emergency plan should cover such conditions and events as (a) civil defense drills; (b) strikes by school staff, teachers, drivers, or contractors; (c) road or bridge washouts and landslides that might block school bus routes; (d) bus hijacking. (Copies of the pre-emergency plan should be carried in each bus.)

I. Communication

In the operation of a pupil transportation system, it is necessary to keep those who are in charge of the system as well as the parents and the pupils informed regarding the operational procedures. The school system must ensure that the channels of communication are set up in such a way that any information that should be known about its transportation system and services can be disseminated quickly and effectively to reach everyone concerned. The school system must also ensure that all inquiries, requests, suggestions, and recommendations are given prompt and appropriate attention and are handled efficiently. Some of the ways information regarding school bus systems can be disseminated satisfactorily and examples of how each of these may be used to advantage follow:

Method for Dissemination of Information	Examples of Purposes for Which Used
Bulletins	To explain the school system's transportation policy to school administrators, teachers, drivers, parents, pupils, and others associated with the operation. To clarify new laws and safety policies so that everyone knows what is expected of them.
Meetings	To provide an opportunity for those associated with the school transportation system to share their views to help build broad community support for safe pupil transportation.
Public Press	To inform parents of policy route, stop, and schedule changes; of the safety record of the operation; and positive driver achievement records.

Conferences	To discuss with each driver, disruptive pupils and their parents, solutions to disciplinary problems that arise, new or revised policy decisions that affect drivers, contractors, pupils, and school administrators.
Letters	To inform parents of all school and state regulations, new routes, etc. Reply to more urgent inquiries regarding pupil transportation safety, policy and procedures.
Telephone Calls	To provide quick contact between bus drivers and the school, or between parents and the school in the event of urgent or emergency situations.
Radio, Television	To inform the public of procedures the schools will follow in cases of severe weather conditions or other natural phenomena as well as new policies, laws, or controversial decisions regarding laws and specifications. Excellent for positive news, ideas, and achievement.
Public Address System	Another tool the school personnel and drivers may utilize to communicate with pupils regarding all forms of safety reminders, rules, and school policy.

J. **Energy Management**

Energy conservation in pupil transportation is a major area of concern to the educational population. School transportation vehicles transport 60% of the total children attending kindergarten through grade twelve.

Since the energy crunch occurred, pupil transportation has employed major conservation measures that have reduced the amount of fuel required to transport children to and from school and school-authorized activities.

Here are some of the basic guidelines for sound fuel reductions in school transportation. From these guidelines, a comprehensive checklist can be developed for use by individual school districts.

1. **Mechanical and Shop Program**

   a. Tune and maintain engines, plugs, points, and timing. Maintain and clean pollution controls.

   b. Keep gas tanks full to avoid excessive evaporation.

   c. Ensure that bus tires are properly inflated. Soft tires increase gas consumption. Inflate to maximum safe level.

   d. Replace, as soon as possible, buses that use excessive amounts of gasoline.

   e. Keep gasoline tanks locked with one person in charge of fueling of buses and other school vehicles.

   f. Keep accurate bus records for maintenance and fuel consumption, oil changes, lubrication, etc.

   g. Be sure that all changes are done at the proper mileage level.

   h. Inventory all parts and supplies; and order for a full school year on a planned need basis with best price.

   i. Keep all buses under cover in winter climatic areas rather than allowing drivers to take home and park.

   j. Use satellite bus parking stations at the extremities of districts to avoid "deadheading" back to a centralized bus garage.

2. **The Drivers' Role in Energy Conservation**

   a. Retain experienced drivers as long as possible.

   b. Re-educate bus drivers toward better fuel economy.

   c. Reduce warm-up time on buses to two minutes initially and three minutes prior to starting routes. Drivers should dress warmer rather than running engines at full idle to heat buses.

d. Drive slowly and carefully the first few miles until vehicle warms up.

e. Avoid full throttle operation.

f. Avoid the "red line" even in shifting gears.

g. Drive slowly back to the bus yard.

h. Reduce speed limit to as low as practical.

i. Avoid courtesy stops.

j. Train new drivers on existing runs while bus is "deadheading".

k. Use simulators to reduce behind-the wheel training in vehicles.

l. Increase frequency of driver in-service programs.

m. Do not warm up bus early to let heaters work. Allow heater to warm during trip from garage to first stop. (Drivers should dress warmly during winter months.)

n. Train drivers to use pre-planned starts and stops for less gas consumption.

o. Hold joint workshops with maintenance and driver personnel to improve operation.

p. Use an incentive system for reducing vehicle fuel consumption.

q. If bus drivers have split shifts, determine if their last route ends near their homes. If they do, consider having them take the bus home during the mid-day period. This will eliminate the extra driving that results from a driver bringing the bus back to the terminal, driving his car home, and then driving his car back to the terminal, etc.

3. **The School Bus Operation: Routing**

a. Fill buses to legal capacity.

b. Re-evaluate your routing to make it as efficient as possible.

(1) Consider letting one bus bring children of all ages in from remote and longer runs using a central drop-off

spot for their regular bus in town to pick them up for deposit at correct school.

(2) Stagger school hours to the extent that you are able to utilize buses to maximum load levels--not necessarily to grade levels.

(3) Utilize computerized routing facilities, if available. Eliminate overlapping of routes if you have any, whether it is between districts, schools, or several contractors.

(4) Use "zone loading" with designated stops spaced as far apart as is feasible. The bus makes fewer stops to load more pupils at the most centrally located areas. (Keeping on the time schedule becomes critical to the success of this method.)

(5) Have rural students walk up to the main road for loading. (Ride bike, parents bring them, etc.)

4. **Other Suggestions for School Bus Operations:**

a. Have older students walk to central pick-up points.

b. Lengthen distances between pick-up points.

c. Avoid courtesy stops.

d. Plan stops on level instead of on inclines.

e. Consolidate loads.

f. Plan routes to make only right-hand turns to save on idling time where safety in routing permits.

g. Use intercoms on buses to reduce stops for controlling discipline.

h. Reduce weight by removing luggage racks, extra tire, chains, etc. (during warm weather).

i. Install 2-way radios to direct operation or redirection of buses to avoid unnecessary use.

j. Monitor use of vehicles. Install trip recorders to record driver and vehicle operation. Use this information to reduce use of gas and oil.

k. Use modern analyzing equipment to ensure fuel and oil economy.

l. Use the smallest practical vehicle for long-distance, light-load runs.

m. Schedule bus routes to avoid driving up hills; stay on main roads only.

n. Let school staff members ride school buses whenever feasible.

o. Use bus contractors if available. (Escalation clauses.)

p. Hold joint workshops with maintenance and bus driver personnel to improve operation of vehicles.

q. Emission controls; i.e. catalytic converters, additives.

5. **School Bus Operation: School Policy**

a. Coordinate school calendars and start and dismissal times between elementary and secondary schools of each school system.

b. Eliminate staggered dismissal times in the same buildings.

c. Increase requirements for distances children must walk to school and to bus stops (possibly controversial).

d. Overlap elementary and secondary grades and routes. Minimize staggered school schedules.

e. Eliminate trips designed for the convenience of students between school buildings.

f. Encourage pupils to ride school buses in lieu of their own motor vehicles.

g. Limit student parking, and encourage high school pupils to ride school buses or form car pools.

h. Explore the satellite concept where classrooms are located away from a central campus.

i. Develop innovations and creative programs to encourage students and staff to walk to school or ride bikes. Furnish adequate bike racks. Provide adequate safety for bikes from theft and vandalism.

j. Combine deliveries with bus routes. Use buses for deliveries where and when feasible.

6. **School Bus Operation: Activity & Field Trips**

a. Surveys show field trips use 7% to 10% of fuel allocation totally consumed for transporting pupils to and from school during a school year.

b. Reduce or eliminate all but the most necessary athletic contests.

c. Reduce or eliminate all but the most necessary field trips.

d. Combine field and athletic trips for more than one school.

e. Have districts share buses when holding athletic events.

f. Establish minimum and maximum distances for field trips and athletic trips.

g. Limit field trips to full bus loads only. (Perhaps picking up from several schools en route to game.)

h. Combine athletic schedules so several games can be played at the same time.

i. Encourage parents to pool with other parents in transporting children to school for late activities and for extracurricular events. Provide professional help if additional insurance coverage is needed by parents. Arrange for low cost premiums. Consider having the district assume some of the insurance costs.

j. Contract with parents to provide transportation.

k. Use charter and public transportation and their loading and unloading stops where feasible to drop off rather than return to school or homes.

l. Connect schools with cable TV or closed circuit TV for instruction, inservice meetings, and reports.

m. Use shuttle buses for students to and from athletic contests.

n. Review and evaluate all security measures in the district. Make changes to take care of any increased problems resulting from the energy crisis.

7. **Miscellaneous**

a. The smaller supply of antifreeze has placed it in critical demand because of the energy crisis. As with fuel, antifreeze availability and increased costs have put it in a high priority profile with fuel and, therefore, must be reckoned with when we discuss the areas of energy conservation.

b. Tips for antifreeze:

(1) Check your radiators for leaks, rust, clogging, etc.

(2) Use only the needed amount of antifreeze as mean temperature dictates.

(3) Covered or heated bus garages eliminate frozen radiators and cracked blocks.

c. Tires: radials appear to increase mileage.

d. Reasons for warehousing where practical:

(1) Bulk purchasing

(2) Inventory and audit of supplies (how frequently)

(3) Purchase order and requisition system

(4) Regulated personnel handling of supplies

e. Gasoline vs. diesel engines: recommended annual review for districts.

f. Locked gas pumps (metered fuel record)

g. Regular bus maintenance records (should be kept and updated as needed)

K. **Summary of Policy Development**

1. **Pupil Policy**

a. Develop a written list of do's and don'ts that you expect pupils to be aware of to ensure a safer, more enjoyable ride.

(1) Post in the bus

(2) Print in pupil handbook

(3) This may be written into an overall policy package that should have school committee approval.

2. **Driver Policy**

a. List all requirements that must be fulfilled prior to pupil transportation (license, physical, driving exam, written exams, license check, etc.)

b. List all requirements placed on the driver by the school system.

Examples:

(1) Pre-trip inspection

(2) Discipline

(3) Record keeping

(4) Contract provision, if any

(5) Pupil safety

(6) Knowledge and use of safety equipment

c. List all requirements placed on the driver by state and/or federal legislation.

Examples:

(1) School bus stop laws

(2) Speed limits

(3) Railroad crossing laws

(4) Etc.

3. **Routing and Scheduling**

a. Determine location and destination of all pupils to be transported.

b. Obtain information pertaining to individual needs for additional specialized equipment such as safety harnesses, seat belts, wheelchair, pupil safety seat, etc.

c. Plot the safest, most efficient route available, avoiding high traffic areas, high accident areas, and road hazards.

d. Provide the drivers, the attending school, and the transportation office with the following information:

   (1) List of pupils on the bus(es)

   (2) Approximate times for pick-up and return of pupils

   (3) Map indicating routing of the bus and location of pupils

   (4) An identification form for each pupil with information such as pupil's name, parent or guardian name, address, phone number, location and description of home, medication, picture, etc.

e. Provide the parents or guardians of all pupils with the driver's name, bus number, pick-up and return times, school closing information, school calendar, etc.

f. Transportation of pupils in certain cases may require a contract between school systems and/or specifications of transportation in the pupil's I.E.P. (Individual Education Plan).

g. If computer scheduling is available, it should be assessed for possible utilization.

h. The goal of pupil transportation is to economically and efficiently operate with the optimum pupil safety and consistency.

4. **Communication**

   a. Determine what your schools' needs are for communications.

   b. Determine the geographical area to be covered and topographical features to contend with.

   c. Determine which type of two way radio system, if used, will be functional.

5. **Energy Management**

   a. Define areas of fuel use inefficiency and waste within the school district operation.

   b. Make administrative and operation personnel staff and students aware of the potential fuel conservation in pupil transportation services.

   c. Update the policies of the school district and programs of the school transportation system to meet self-determined energy conservation goals.

   d. Effect corrective actions to increase the school district's pupil miles per gallon.

III. PUPIL MANAGEMENT

The program for pupil management should be developed cooperatively by responsible school administrators and transportation personnel. The program should be designed to insure the safety and welfare of all school bus passengers.

A. **Policies should include but not be limited to the following:**

1. The bus driver's authority over, and responsibility for, pupils while in transit.

2. The pupil's right to "due process" when disciplinary action is taken.

3. The procedure for resolving problems when the driver needs assistance.

4. The conditions under which a pupil might be temporarily suspended from the privilege of riding the bus.

5. Procedures for handling emergencies.

6. Use of bus monitors (or driver aides).

7. Requirements and responsibility for school bus passenger and pedestrian safety instruction.

8. Parental responsibility for damage to bus and/or equipment by their children.

B. **Pupil Regulations:**

Each school system should have a written set of regulations for transported pupils. These regulations should set forth standards of behavior and promote orderly conduct necessary for safe and efficient transportation. Regulations should include but may not be limited to the following:

1. Pupil shall arrive at the bus stop before the bus arrives.

2. Wait in a safe place, clear of traffic and away from where the bus stops.

3. Wait in an orderly line and avoid "horseplay".

4. Go directly to an available, or assigned, seat when entering the bus.

5. Remain seated, keep aisles and exits clear.

6. Observe classroom conduct; and obey the driver promptly and respectfully.

7. Prohibit the use of profane language, eating, smoking, and drinking of any type on the bus.

8. Prohibit the use of tobacco, alcohol or drugs, and controlled substances.

9. Prohibit the throwing or passing of objects on, from, or into buses.

10. Permit pupils to carry only objects that can be held on their laps.

11. Prohibit hazardous materials, objects, and animals on the bus.

12. Respect the rights and safety of others.

13. Prohibit leaving or boarding the bus at locations other than assigned home stop or assigned school.

14. Prohibit putting head, arms, or objects out of bus windows.

15. Prohibit hooky-bobbing (hitching rides via rear bumper).

C. **Behavior Control:**

Proper pupil behavior is important. The distraction of the driver can contribute to accidents. Pupils and parents should be made aware of and abide by reasonable regulations to enhance safety. The consequences of unacceptable behavior should be clearly understood. The following procedures will protect the pupil's rights and maintain order on the bus:

1. The bus driver should establish proper rapport.

2. The bus driver should handle minor infractions through discussion with pupils and/or assignment of seats. (Sometimes a call to the parents will improve behavior.)

3. In case of serious or recurring misconduct, the bus driver must describe the violations in writing on the appropriate forms to the person designated to deal with discipline.

4. First offenses require at least a notification to the pupil and parent(s) either by phone or in person. Second or subsequent offenses may require a conference with the pupil, parents, driver, and school administrator(s) and could result in some period of suspension of pupil's riding privileges.

5. Suspend pupil's riding privileges when the safe operation of the bus is jeopardized.

D. **Instruction:**

Most pupils ride school buses to and from school or on activity trips. It is important that all pupils be taught safe riding and pedestrian practices. This instruction should be given as soon as practical at the beginning of the school year. Appropriate instruction should be developed for each grade level and should include the following:

1. Safe walking practices to and from the bus stop.

2. Wearing of light-colored or reflective clothing when going to and from bus stop in darkness.

3. How and where to wait safely for the bus.

4. What to do if the bus is late, or does not arrive.

5. How to enter and leave the bus. (use hand rail, etc.)

6. Safe riding practices. (Chapter 90, Section 7B of the General Laws of Massachusetts).

7. Procedures for emergency evacuation.

8. Safely crossing the highway before boarding and after leaving the bus.

9. Procedures to follow in emergencies.

10. Proper respect for the rights and privileges of others.

IV. SCHOOL BUS DRIVER

A. Licensing:

1. Application with the Registry of Motor Vehicles and/or Department of Public Utilities.

2. Inservice Training Program established by the Registry of Motor Vehicles, Department of Public Utilities, and Department of Education, as required under Chapter 90, Section 8A of the General Laws of Massachusetts.

B. Procedure for Loading and Unloading:

1. Doors should not be opened for loading until bus has come to a complete stop.

2. Driver should supervise loading to eliminate crowding and pushing at the door.

3. Driver should not put bus in motion until all students are in their seats.

4. Driver should not permit any students to leave their seats while bus is in motion.

5. When discharging students, the driver should make sure all students are clear of the bus before proceeding.

C. Responsibilities:

1. Drive defensively and be alert to all the hazards that are connected with driving. Make allowance for the driver who believes a bus handles as easily as a private automobile.

2. Do your best to safely maintain your schedule as closely as possible, consistent with the safe operation of the vehicle.

3. Watch for children along the road.

4. Watch for tardy pupils, even though you are not required to wait.

5. Observe the rules of the road, as well as those applying to school bus operation.

6. Know every bit of your route and how to detour when necessary.

7. Be ready at any moment to make a quick and accurate decision.

8. Securely fasten seat belt while transporting school pupils.

9. Be responsible for the conduct and safety of children through observing such basic rules as the following:

   a. Passengers must be seated.

   b. Conversations should be carried on in normal tones of voice. Shouting is distracting.

   c. Arms and heads must be kept inside the bus.

   d. Children should enter and leave bus as quickly and smoothly as possible.

   e. Aisles must be kept clear.

   f. Throwing objects is forbidden.

   g. Boisterous and profane language is forbidden.

   h. Horse play should **NEVER** be tolerated.

   i. **NO SMOKING** while children are around.

10. Know the legal maximum capacity of your bus and notify the principal and bus contractor when your load comes within 3 of this number.

11. Try to keep within 5 minutes of your schedule.

12. Report to the principal any difficulties or accidents that occur while the children are under your supervision.

D. **Authority:**

The bus driver shall have full authority to enforce order and maintain discipline by direct command to the pupils.

1. A driver shall neither put a pupil off the bus while on the road nor refuse transportation except at the direction of the principal or superintendent of schools. In the event any pupil is suspended by the school principal from his or her transportation privileges for violation of regulations, no driver shall take such pupil in his bus until ordered to do so by the principal. (This varies by community.)

2. Never leave the controls of your bus when there are children aboard.

3. Always leave children at the proper discharge stop unless you have been otherwise instructed by the parent or the principal, in writing. Save all such written notes for at least two weeks.

4. High school children must have a bus "pass" signed by the high school principal (or authorized personnel).

5. Elementary school children who do not ordinarily ride on your bus may be admitted as passengers only when they present you with a written instruction from the principal's office.

E. **Pre-Inspection of Vehicles:**

1. A driver shall inspect the vehicle prior to a trip. The inspection shall include brakes, lights, tires, gauges, windshield wipers, steering, and fuel.

F. **School Administration - Parent - Student Relationships:**

1. The driver should not argue with or manhandle students.

2. Driver should <u>not</u> give on-the-spot discipline. We find that most people, regardless of how well-trained they are, are not equipped to handle this authority. There are too many intangible factors involved in a deed of misbehavior to allow for instant disciplining. Personality conflicts may be involved, for instance. We have found in too many instances that when a driver has attempted to mete out punishment, loss of control of the entire situation has resulted.

3. The driver should make a report to the principal giving the name of the offender, the date and time of the misbehavior and a summary of the action.

4. The principal's office will prescribe the disciplinary action to be taken and notify the driver of such action.

5. <u>Never</u> put a child off your bus for disciplinary reasons. In the event of a student who is uncontrollable and a threat to safe driving, stop your bus at the nearest telephone and call the principal.

6. The driver should refer any parent having complaints about school transportation to the principal and **NOT** make any remarks, pro or con, to that person.

7. All school personnel will do their best to help make the job of bus driving as pleasant and as safe as possible.

8. Cooperate with school authorities and bus drivers in promoting efficient service.

   a. The purpose of school transportation is to provide safe, efficient, comfortable, and economical transportation for those pupils living beyond walking distance to the school. It is not a taxi service for children, parents, or

unauthorized persons. Parents should not expect buses to operate over roads that are not properly maintained, or private lanes leading from residences to the highway, or on roads where adequate turnarounds are not provided.

b. Children should be taken from the school to their homes; but in cases of emergency, the principal may arrange for the driver to drop the children at another designated place.

c. There may be other explicit instructions within your community to handle specific instances, such as a breakdown. These should be explicitly stated.

d. Written policy governing pupils, both in the classroom and on the bus, needs to be made available to all concerned and filed with the Commissioner of Education. (See Chapter 71, Section 37H of the General Laws of Massachusetts)

V. EVALUATION OF THE PUPIL TRANSPORTATION SYSTEM

A. Each school system should have a plan for evaluating its pupil transportation operation. There are several criteria which can be applied to obtain some estimates of the operation's effectiveness. These criteria relate to such factors as safety, efficiency, and economy.

1. Safety criteria include but may not be limited to the following:

   a. Injuries to pupils, the driver, and other highway users.

   b. Frequency and severity of property damage accidents in which buses are involved.

   c. Frequency and severity of moving traffic violations for which drivers are cited.

   d. Frequency and nature of complaints from parents, the motoring public, school administrators, and the pupils.

   e. Frequency and nature of road failures and other emergency situations involving buses.

2. Efficiency and economy criteria include but not be limited to the following:

   a. Route buses consistently operating within the framework of established school hours.

   b. Amount of driver layover time between routes. If, however, it can be scheduled, a brief layover period is desirable.

   c. Routes are equalized as nearly as possible and scheduled to minimize the actual time pupils are on the bus.

   d. Routes are designed to achieve maximum utilization, i.e., full capacity (within reason), and unnecessary mileage and duplication are eliminated.

   e. All routes and routing procedures, including stops and times, are reviewed annually.

   f. Written driver instructions, including pertinent information relative to mechanical operation and specifics, such as warm-up and idling times, braking practices, etc.

3. Problem identification criteria include but may not be limited to comprehensive long and short range transportation plans which include goals and a needs assessment.

VI. SCHOOL BUS MONITORS OR AIDES

The primary duty of a monitor or aide is the behavior of the children on the bus. Because of the grave responsibility attached to the performance of this duty, these people should be responsible adults.

A. **Qualifications and characteristics a monitor should possess are the following:**

1. They should be friendly but professional.

2. They should be on time meeting the bus; delays distort schedules and cause children to wait for the bus longer than they should. This could also create hardship on parents; and result in anger or poor parental relations.

3. They should act as a go-between with the bus driver for the parents and the school system.

4. They should promote and maintain good student relations; be courteous, be fair, patient, friendly and firm.

5. They should be able to plan ahead as to how to maintain student control and be able to recognize clues for potential disruption.

6. They should understand and consider the needs, desires and the fears of young people.

7. They should also be aware of the typical behavior of the different age groups; how each will act and react.

B. **Duties of Monitors and Aides**

1. Monitors should help the bus driver survey the front of the bus, inside, to see if fire extinguishers and first aid kits are in proper place, as required by law.

2. Monitors are to see that the windshield and all windows in the front quarter of the bus are clean. Further, to check rear emergency door to see if it is working properly; also, that rear windows are clean.

3. Monitors will survey the entire bus during the runs for possible sources of injury to students.

4. Monitors see that children load and unload the bus in orderly and proper manner.

5. They should inform students about safety rules and regulations that must be observed on the bus; what they "can do" and "cannot do."

6. They should assist in evacuation drills.

C. **The Monitor's Role in Emergency Procedures**

Just as the driver is responsible for the safety and well-being of the children on his/her bus, so also is the aide, or monitor. He/she must have knowledge of the proper procedures to follow in the event of an emergency.

A well thought out PLAN OF ACTION must be adopted to minimize injury and damage in the event of an accident or emergency situation. The monitor should consider the following:

1. Assisting the bus driver.

2. Keeping calm and trying to calm and control the children.

3. Helping uninjured children to evacuate, if necessary, and directing them to a safe place.

4. Sending for assistance.

5. Administering first aid to the injured, where the first few minutes could mean life or death.

D. **First Aid Procedures**

It is essential that a monitor be prepared to help with immediate first aid procedures in case of an emergency or accident where treatment within the first few minutes could save the life of a victim.

The best possible First Aid is PREVENTION. The monitor should constantly survey the bus and the area outside the bus to locate possible sources of injury for the passengers and to adopt measures to prevent the occurrence of accidents.

A monitor should keep in mind that there are three steps that he/she should observe:

1. What to look for.

2. What to do.

3. How to do it or <u>DON'T</u>!! <u>Do Not Play Doctor</u>! When life or limb is endangered, you must act; but, remember, this is the extreme.

E. School Bus Safety Patrols or Student Bus Captains

1. The school bus safety patrol is the usual designation of any student group organized for the purpose of assisting with the pupil transportation program. While the school bus safety patrol has been helpful in many school transportation systems, it should be emphasized here that the members do not assume any part of the driver's responsibility. They act only in the capacity of advisors and assistants under the immediate responsibility and direction of the driver. Properly organized, such a group can help in a variety of ways including the following:

   a. Assist with loading and unloading at school.
   b. Assist the driver in checking attendance.
   c. Call attention to hazardous conditions and actions.
   d. Set a good example of conduct.
   e. Lead singing or any acceptable activity.
   f. Discourage swearing and obscene language.
   g. Observe and report unusual occurrences including injuries to pupils on the bus.
   h. Help little children with their problems, such as lost articles of clothing.
   i. Serve as a channel of communications between the administrator and the pupils and vice versa.
   j. Assist with the conduct of emergency drills.
   k. Act in an advisory capacity to the drivers and administrator.

2. The school bus safety patrol generally consists of two responsible older students for each bus load. Preferably, they are among the first to board the bus en route to school and among the last to leave on the return trip. It is well to assign one patrol member to the front part of the bus and the other to the rear near to the exit door. Selection of the bus patrol may be on the basis of appointment by the administrator or recommendation of the drivers, or by means of election of the pupils from among those who meet the qualifications determined by school authorities.

3. The participation of pupils in planning and operating a safety program can be of great help in making the program effective. The school bus safety patrol is one method of providing such participation. The fact that the driver is responsible for both operating the bus and supervising children seated behind him/her makes the enforcement of rules on a strictly authoritarian basis difficult to say the least. Patrol members should never discipline children for misbehavior and should never take the responsibility for guiding children across the road. It should also be emphasized that such patrols do not operate outside of the bus except on school grounds.

VII. ACTIVITY BUS OPERATIONS

Each school system that provides activity bus transportation for pupils shall have comprehensive policies and guidelines regarding this type of transportation. In order to provide safe and efficient activity transportation, lines of responsibility and authority need to be defined. Persons involved in activity trips must have an understanding of their respective responsibilities. For the purpose of this section, activity trip is defined to include field trips which are extensions of the instructional program and other trips such as athletic and other outings. These trips range from a few miles to trips extended over several days that cover large distances.

The following items need to be considered when developing criteria for activity trip transportation:

A. Policies and Guidelines

1. **Purpose of trip -**

   Instructional, athletic, pupil spectators, recreation, or other.

2. **Funding source -**

   District or individual school funds, individual charge, parent group, or other.

3. **Administrative approval -**

   Person who has authority to approve or deny trip.

4. **Advance notification -**

   Allow adequate time for approval process and for making driver and vehicle arrangements.

5. **Methods of travel -**

   District or contractor bus, commercial or local transit district equipment, air, boat, or combination of above, private or school passenger automobile.

6. **Trip request form -**

   This should include all necessary information from trip arrangements, payroll, reimbursement, and other local needs.

7. **Chaperone -**

   An adult chaperone should be required on all activity trips. Chaperone responsibilities include written authority to assist driver in maintaining passenger control. The drivers must

always possess the final authority. Seating location for chaperones may also be a consideration.

8. **Discipline procedures -**

Trip release signed by parents should include written procedures on handling of severe or difficult misbehavior problems and emergency policies.

9. **Communication -**

Drivers, pupils, chaperones, and parents should be made aware of rules and regulations that apply on trip. Parents should have information on destination, mode of transportation, chaperones, departure and return times, and what the pupil is expected to wear and bring with them for the trip. A signed note from the parent or guardian is important.

10. **Luggage -**

Method for transporting luggage or equipment forbidden to be carried in passenger compartment by state and/or local regulation. Loose luggage or equipment should never be transported in the passenger compartment which could cause injury or block passageways in the event of an accident or sudden maneuver.

11. **Out-of-State Trips -**

Policy should detail if "out-of-state" trips are permitted and specific restrictions. Regulations for states to be visited should be reviewed prior to trip.

12. **Insurance Policies -**

Should be checked or agents be contacted to determine if additional coverage is necessary. This is a necessity if a trip is scheduled to another state or country. If using transportation other than system owned vehicles, the school committee should set the minimum amount of insurance to be carried.

13. **Road and Weather Check -**

Designate a person responsible for checking road conditions during months when adverse conditions could be encountered. State Patrol, Highway Divisions, or auto clubs are generally cooperative in supplying road information. The Weather Bureau should also be contacted if warranted.

14. **Contingency Plans -**

Policy should detail who has authority to make decisions if an unexpected occurrence happens during trip, such as impassable roads, accident, or mechanical breakdown. Driver and chaperone should have phone number of local school person who has final authority. It is also advisable to obtain phone numbers of transportation personnel in various communities and school districts that trip buses travel through regularly. It is advisable to develop a Mutual Aid Directory for contacts within athletic league boundaries which could provide assistance in the event of a mechanical emergency. Drivers should have training on procedures and regulations if an accident occurs during trip.

15. **Driver Selection -**

Criteria for trip driver assignments is necessary to avoid conflict and confusion and should include knowledge, skill, experience, seniority and driver familiarity with trip vehicles. Driver knowledge of area to be traveled should also be a consideration. Driver assignment should take place at least 3 days in advance of trip date.

B. **Vehicle and Equipment**

1. Trip vehicles should be selected taking into consideration the following:

   a. Miles to be traveled

   b. Terrain and climatic conditions which may be encountered

   c. Number and age group of pupils

   d. Luggage and equipment to be transported

   e. Driver familiarity with the vehicle and route to be traveled

2. Consideration should be given for specialized equipment needed such as the following:

   a. Luggage storage

   b. Chains or sanders (chains should be prefitted prior to trip.)

   c. Extra heaters

   d. Public address system

   e. Radio -- A.M., C.B., or 2-way

f. Tires, off road tread or recaps (original tires on front required)

g. Spare tire

h. Tool requirements

i. If an extended trip is planned, a phone call to transportation personnel at the destination is advisable to determine equipment requirements.

3. Inspection -

a. All vehicles should pass the same inspection as regular route buses as well as detailed check prior to activity trips.

C. **Training**

1. Specialized training should be provided for activity trip drivers. Training should include but may not be limited to the following items:

a. State laws and applicable policies and rules.

b. Familiarity with trip vehicle and its components.

c. Familiarity with specialized equipment and how to implement its use. (see B-2 above)

d. Familiarity with local and state trip requirements.

e. Route familiarization. This might include a dry run prior to the trip date, especially if extreme conditions, terrain, or road difficulties may be encountered.

f. Discipline procedures on trips.

g. Driving under adverse conditions such as night driving, slippery road condition, or unfamiliar mountain driving.

h. Destination location and parking areas. Maps should be made available to drivers.

i. Destination parking if other than location of pupil destination.

j. Provisions for bus security at destination.

k. Necessity to carry extra cash for items such as bridge tolls, fuel, telephone, parking fees, and personal needs.

l. Emergency procedures including a thorough knowledge of contingency requirements.

m. Other items a driver should know prior to driving an activity trip, e.g., pupil counts, report form completion, convoy procedures, prohibiting non-required sign inside or outside of bus, etc.

n. All activity bus drivers should hold the same licenses and certificates as a regular school bus driver. This might be in addition to a chauffeur's license if vehicle is a commercial carrier.

VIII. SPECIAL NEEDS EDUCATION: PUPIL TRANSPORTATION

The term "Special Needs Education" means specially designed courses of instruction and related support services, sufficient in both quantity and quality to meet the unique needs of handicapped children. Transportation is one of the "related services" that is necessary to provide this instruction. The purpose of this section is to establish minimum standard guidelines of operation for those individuals involved in the transportation of the handicapped. Practices and procedures to provide the administrator, the driver, and the aide with sufficient information to develop and administer a quality program service are discussed in depth in **SPECIAL NEEDS EDUCATION: PUPIL TRANSPORTATION — A GUIDE FOR MASSACHUSETTS SCHOOL ADMINISTRATORS; 1986 Edition**

A. General Principles

1. Pupil management encompasses all preparation and action taken to meet each pupil's needs while riding to and from school, in the interest of comfort and safety for all those aboard the bus. For the handicapped pupil, this means making a variety of adjustments to accommodate each individual's needs without compromising the safety of the riders or the primary role of the driver -- to drive the bus.

2. Transportation of handicapped pupils is a highly personalized service, requiring a thorough assessment of the pupils' physical, social, emotional, and intellectual capacities.

3. Successful pupil management depends upon careful planning for each pupil's needs prior to placement and continued monitoring of the adjustments throughout the school year. Good pupil management techniques avoid the narrow, band aid approach of "What do I do when Johnny misbehaves on the bus?" by assessing needs and anticipating problems.

4. Mutual respect for and communication and cooperation of drivers, parents, teachers, and other school officials will help to ensure safe, reliable, and comfortable transportation service. It is important to recognize that often the driver spends several hours a day with these pupils, thereby assuming a significant role in their lives.

B. Characteristics

1. Although special needs characterizes certain categories of disabling conditions, it is important to remember that each pupil is an individual, with his/her own distinct personality, and that no label can completely or adequately describe any pupil. It should also be noted that all handicapped pupils are people and can be expected to behave and misbehave very much like normal children. The driver of handicapped children needs to be more flexible, patient, and creative in his/her approach to managing these pupils.

C. **Class Placement**

1. Class selection should include a routine consultation with transportation personnel to avoid bus problems that may later develop into classroom problems.

   a. Some pupils may need to be transported in wheelchairs or specially designed car seat or vests to provide trunk and head support. The type of vehicle required must be ascertained in advance, and lead time may be needed to construct a device in which to transport the pupil.

   b. Another consideration in planning is the mixture of pupils on the vehicle.

2. After the class assignment is determined, the transportation supervisor should research the details of the pupil's transportation needs.

   a. A thorough inventory of the pupil's needs should be taken by the school personnel in conjunction with the transportation director. This should include aspects of the pupil's personality and handicaps as they relate to the bus ride and may determine such matters as seat assignments, order of stops, equipment needed, and techniques for effectively relating to the pupil. Seizures and other significant medical problems should be documented.

   b. At this time, any deviation from normal schedules should be noted.

   c. Arrangements should be made for alternate emergency drop-off points and telephone numbers. These last two points may seem more related to operations than pupil management, but not delivering the pupil to the right place at the right time can create anxiety in the pupil and his parents and undermine the driver's control of the situation.

   d. Arrangements for each pupil's transportation should be communicated to all involved parties, including parents, school personnel, driver, aide, and the other pupils on the bus. A smooth start for bus service will help make the pupil's first day of school a positive experience and will instill confidence in the parent that will reflect well on the entire school system.

D. **Discipline and Behavior Control**

1. A driver recognizes that safety of passengers and respect for person and property are still needed when handicapped children are transported. A pupil cannot be allowed to behave in any manner which endangers others or causes serious harm enroute.

2. Alternatives to control of special needs students on transportation vehicles may be needed. Lenience or pity for the pupils because of their handicaps is counterproductive to the development of self-sufficiency. Many pupils can sense this attitude and manipulate it to their own advantage. Pupils must be taught to accept responsibility for their own actions. This can usually be accomplished if the following rules are obeyed:

   a. Always let the pupils know what is expected of them. Define terms and rules clearly; and enforce the rules fairly, firmly, and consistently.

   b. Let the pupils know exactly what the consequences of their behavior will be. Always follow through on the disciplinary action you threaten or the pupils will quickly learn that your authority is not to be taken seriously.

   c. Demonstrate, using as many modes as possible, what you want them to do. Don't just tell them to fasten their restraining devices; show them how to do it.

   d. Accentuate the positive. Continually telling the pupils "don't do this" and "don't do that" leaves them wondering what they can do. On long bus rides that can be a tiring and boring experience, suggest methods of acceptable behavior.

3. Behavior modification is a technique that requires pupils to behave in an appropriate way before they are given some reward, thereby increasing the likelihood they will behave as desired. To be effective, such a program must take into consideration the ages of the pupils aboard, the nature of the reward, and a clear definition of what constitutes acceptable behavior.

   a. It is generally a good policy to develop a simple reward system for good behavior. Liberal amounts of praise should be given as a general rule; but behavior modification techniques can be a more concrete, consistent way of maintaining control.

   b. The driver can develop a chart to keep track on a weekly basis of who has behaved well and who has not, and a reward given to those with satisfactory ratings. This may be something simple like a smile face or a gold star on the chart, giving the pupil a preferred seat on the bus, or, with permission of both parent and teacher, some candy or other treat.

   c. Some disruptive pupils respond well when given responsibility, such as leading the others in singing or a quiet game. This may channel excess energy into some more constructive although limited activity that can be pursued safely on the bus ride.

4. Other techniques of behavior control involve relatively simple methods such as rearranging seating or isolating the troublemaker.

   a. Seating arrangements on the bus can be important in managing handicapped pupils. A good driver will learn to know his/her pupils and seat those who get along well near each other.

      (1) The seat closest to the front of the vehicle may be used either as a reward or as a punishment, depending on the attitude of the pupils. Younger pupils often perceive sitting near the driver as a privilege, and this may be granted as a reward for good behavior. Older pupils are more likely to view a front seat as undesirable, and it may then be used to isolate a troublemaker.

      (2) An insightful choice of seat partners can help the driver manage pupils. For instance, a young hyperactive pupil may be seated with an older, well-behaved pupil. The older pupil is made to feel important by looking after his young charge, and the younger pupil may look up to the older and behave better to impress him. A more advanced pupil may be able to sit with one who is easily distracted to "entertain" the other by talking or looking at a book.

      (3) Very young or fragile pupils should be seated away from older, larger pupils who might harm them if they become angry or frustrated.

   b. In cases of serious misbehavior, temporary suspension of bus privileges may be in order. This should only be done after consultation with parent and teacher; because in some cases, this may mean a pupil might be left home unsupervised or an adolescent may spend the day out on the streets getting into trouble rather than being in school. Suspension from the bus is usually most appropriate when the safety of other pupils is threatened by the pupil in question. (See Board of Education policy on "Disciplining of Special Needs Students".)

   c. Most pupils respond best to rules if they have a voice in developing them. The driver may be able to tell the pupils that the bus is "their bus" and to encourage pride in making it a clean, safe, and enjoyable place to be. For those pupils who are able, the driver may have them suggest rules for the bus and the means of enforcing them. Often the pupils will be more strict in determining regulations than the driver would have been.

d. Cases of serious misbehavior which do not respond to any of the above methods may require referral to a school counselor or psychologist to develop a more personalized behavior management scheme for that pupil.

e. Behavior management systems will be most effective if developed after consultation with the parents and teachers. It can be confusing and frustrating to the pupils if they are allowed to behave one way on the bus but not that way in the classroom. Cooperation of all concerned parties is the ideal way to achieve a safe bus environment.

E. Emergency Pupil Management

1. It may be useful to educate those pupils who are capable of comprehending and retaining such information about emergency procedures. It is possible that the driver may be incapacitated in an accident, and a pupil may have to take over.

2. In those emergencies where the driver is not injured, it is important to assure the pupils that the situation is under control.

3. The most important preparation for pupil management in an emergency is planning.

   a. Assess the abilities and handicaps of each pupil, and determine what each pupil's needs may be in an emergency.

   b. Plan how to evacuate each pupil if this becomes necessary; determine what special attention might be needed after evacuation. For instance, those pupils normally tense and insecure may require special reassurance than what would be required for most pupils under such circumstances. The appearance of confidence on the part of the driver will help calm the pupils.

F. Summary of Successful Pupil Management

1. Take a conscious inventory of the abilities and handicapping conditions of each pupil, and gear the rules of the bus to each individual bus load of pupils.

2. Continuity and consistency of expectation by those in authority at home, in the classroom, and on the bus will do much to aid the pupil in his/her social development, independence, self-esteem, and recognition and respect for the rights of others.

IX. SUMMARY OF MASSACHUSETTS GENERAL LAWS AS AMENDED, AS THEY PERTAIN TO SCHOOL BUS TRANSPORTATION

The following is a partial summary of current statutory requirements in the Massachusetts General Laws as they pertain to pupil transportation services in the Commonwealth. The statutes listed include school committee responsibilities, educational program requirements, and reimbursement programs. This is only a summary; statutes should be consulted in their entirety.

A. School Committee Responsibilities

CHAPTER 76, Section 1. REGULATION OF SCHOOL ATTENDANCE - (PUPIL TRANSPORTATION APPROPRIATION - HAZARDOUS CONDITIONS - NON PUBLIC SCHOOL TRANSPORTATION)

. . . In order to protect children from the hazards of traffic and promote their safety, cities and towns may appropriate money for conveying pupils to and from any schools approved under this section.

Except as herein provided, pupils who attend approved private schools of elementary and high school grades shall be entitled to the same rights and privileges as to transportation to and from school as are provided by law for pupils of public schools and shall not be denied such transportation because their attendance is in a school which is conducted under religious auspices or includes religious instruction in its curriculum. Each school committee shall provide transportation for any pupil attending such an approved private school within the boundaries of the school district, provided, however, that the distance between said pupil's residence and the private school said pupil attends exceeds two miles or such other minimum distance as may be established by the school committee for transportation of public school students. Any school committee which is required by law to transport any pupil attending an approved private school beyond the boundaries of the school district shall not be required to do so further than the distance from the residence of such pupil to the public school he is entitled to attend.

CHAPTER 71, Section 68. DUTIES OF TOWNS TO MAINTAIN SCHOOLS: TRANSPORTATION OF CHILDREN - (MILEAGE - SCHOOL BUS STOPS)

Every town shall provide and maintain a sufficient number of schoolhouses, properly furnished and conveniently situated for the accommodation of all children therein entitled to attend the public schools. If the distance between a child's residence and the school he is entitled to attend exceeds two miles and the nearest school bus stop is more than one mile from such residence and the school committee declines to furnish transportation, the department, upon appeal of the parent or guardian of the child, may require the town to furnish the same for a part or for all of the distance between such residence and the school . . .

CHAPTER 71, Section 37H. PUBLICATION OF SCHOOL COMMITTEE RULES AND REGULATIONS PERTAINING TO THE CONDUCT OF TEACHERS AND STUDENTS - (PUBLICATION AND FILING REQUIREMENTS)

The school committee of every city, town or district shall publish its rules or regulations pertaining to the conduct of teachers or students which have been adopted. Copies of the rules or regulations shall be provided to any person upon request and without cost by the principal or headmaster of every school within each city, town or district. Such rules or regulations shall not become effective until filed with the commissioner of education, accompanied by a certification by the committee that copies of the rules or regulations are available as previously set forth.

CHAPTER 40, Section 4. TRANSPORTATION CONTRACTS - (PUPIL TRANSPORTATION CONTRACTS)

A town may make contracts for the exercise of its corporate powers including the following purposes . . .

For the furnishing of transportation of school children. Contracts for such transportation may be made by the school committee for periods not exceeding five years; provided, that no such contract, whether written or oral, shall be made for the use of such transportation of a school bus, as defined in section one of chapter ninety, other than a motor vehicle for the operation of which security is required to be furnished under section six of chapter one hundred and fifty-nine A, unless there shall first have been filed with the registrar of motor vehicles and by copy with the city or town clerk the certificate of an insurance company or surety company authorized to issue or to execute as surety within the commonwealth motor vehicle liability policies or bonds, both as defined in section thirty-four A of chapter ninety, except as to amount, that there is in force such a policy or bond issued or executed as aforesaid, covering such school bus, which provides indemnity, protection or security to the amount or limit of at least fifteen thousand dollars on account of injury to or death of any one person, and subject to such limits as respects injury to or death of one person, of at least two thousand dollars on account of any one accident resulting in injury or death of more than one person; and provided, further, that the termination of such a policy or bond during the term of any such contract shall be breach thereof and forthwith terminate it. All provisions of law applicable to motor vehicle liability policies and bonds as defined as aforesaid shall apply to policies and bonds containing such additional amount of indemnity, protection or security . . .

CHAPTER 40, Section 5(2). APPROPRIATION PERMITTED FOR PUPIL TRANSPORTATION PURPOSES FOR WHICH TOWNS MAY APPROPRIATE MONEY

. . . For the support of public schools authorized or required by law and for conveying pupils to and from the public schools, or, if it maintains no high school or public school of corresponding grade, but affords high school instruction by sending pupils to

other towns, for the necessary transportation expenses of such pupils, the same to be expended by the school committee in its discretion . . .

CHAPTER 71B, Section 8. TRANSPORTATION: ROLE OF DEPARTMENT OF EDUCATION - (SPECIAL EDUCATION)

If a school age child with special needs attends a school approved by the department within or without the city or town of residence of the parent or guardian, the school committee of the town where the child resides may be required by the department to provide transportation once each day including weekends where applicable to and from such school while the child is in attendance . . .

B. **State Aid and Financial Aspects for School Transportation Services**

CHAPTER 71, Section 7A. TRANSPORTATION OF PUPILS - (REIMBURSEMENT)

The state treasurer shall annually, on or before November twentieth, pay to the several towns subject to appropriation, the sums required as reimbursement for expenses approved by the commissioner of education, incurred by any town for the transportation of pupils once daily to and from any school within the town, or in another town, in excess of five dollars per annum per pupil in the net average membership of such town; provided, (a) that no transportation reimbursement shall be made on account of any pupil who resides less than one and one-half miles from the school which he attends, measured by a commonly traveled route; (b) that the amount of grant, per pupil, for transportation to private schools in towns which furnish such transportation, shall not exceed the amount of grant per pupil for transportation to public schools and (c) that no contract shall be awarded except upon the basis of prevailing wage rates . . . and of sealed bids, and the school committee shall, in the event that a contract is awarded to other than the lowest bidder, file with the department a written statement giving its reasons therefor, which statement shall be open to the public inspection . . .

CHAPTER 71, Section 7B. USE OF PUBLIC FACILITIES - (PUBLIC TRANSPORTATION REIMBURSEMENT)

To provide for the reimbursement of part of the cost not reimbursable under section seven A incurred directly by a school department or indirectly by a city or town on account of an assessment made to meet the cost of maintaining a public transportation system used for the transportation of pupils in a city or town using public transportation facilities licensed under the provisions of sections one and seven of chapter one hundred and fifty-nine A or operated under the provisions of chapter one hundred and sixty-one A or chapter one hundred and sixty-one B for the transporting of pupils to and from school who reside more than one and one-half miles from the school they attend as determined by the commissioner, or, if the determination of the number of pupils residing more than one and one-half miles from the school of attendance is impracticable, the commissioner shall make such determination according to the following formula: From the net

average membership in the public and private schools, determined as provided in section five of chapter seventy the commissioner shall estimate the number of pupils who reside more than one and one-half miles from the school they attend, which number shall not exceed ten percent of said net average membership.

The commissioner shall, on or before November first of each year, certify to the commissioner of revenue a transportation allowance payable to such city or town for the preceding school year, the amount of such allowance to be determined by him by multiplying the number of pupils or the estimated number of pupils residing more than one and one half miles from the school by the average cost per pupil in the city or town for transporting all such pupils; provided that such cost shall not exceed twenty cents per pupil per day.

Funds received by each city or town shall be used to pay the cost of providing public transportation or to reimburse a city or town for payments on account of any assessment made upon it to meet the cost of maintaining a public transportation system, provided that notwithstanding the provisions of this section, no amount shall be approved as a reimbursement by the commissioner as herein provided in excess of the amount to be paid by such a city or town for said public transportation.

CHAPTER 71, Section 7C. COMPETITION AMONG SCHOOL BUS OPERATORS

No financial assistance shall be provided by the commonwealth for the purchase of buses or the operation thereof to any applicant for such assistance unless such applicant and the secretary of transportation and construction shall have first entered into an agreement that such applicant will not engage in school bus operations, exclusively for the transportation of students and school personnel, in competition with private school bus operators. This section shall not apply to an applicant with respect to operation of a school bus program if the applicant operates a school system in the area to be served and operates a separate and exclusive school bus program for this school system. This section shall not apply unless private school bus operators are able to provide adequate transportation at reasonable rates, and in conformance with applicable safety standards.

CHAPTER 71, Section 16C. REGIONAL SCHOOL TRANSPORTATION - (PUPIL TRANSPORTATION - REIMBURSEMENT)

The regional school district shall be subject to all laws pertaining to school transportation; and when the agreement provides for the furnishing of transportation by the regional school district, the commonwealth shall reimburse such district to the full extent of the amounts expended for such transportation, except that no such reimbursement shall be made for transportation of any pupil who resides less than one and one-half miles, measured by a commonly traveled route, from the district school which he attends. The state treasurer shall annually, on or before November twentieth, pay to the regional school districts, subject to appropriation, the sums required for such reimbursement and approved by the commissioner of education.

CHAPTER 15, Section 11. ELIMINATION OF RACIAL IMBALANCE - (REIMBURSEMENT)

. . . The commonwealth shall, subject to appropriation and upon the approval of the board, pay to a city, town or regional district school committee one hundred percent of the cost of transportation of non-white and minority pupils transferred from schools in which racial imbalance exists to schools in which racial isolation or racial balance exists and one hundred percent of the cost of transportation of white pupils transferred from schools in which racial isolation exists to schools in which racial imbalance or racial balance exists for the purpose of reducing or eliminating racial imbalance as provided by said section thirty-seven D . . .

CHAPTER 71, Section 37D, RACIAL IMBALANCE PLANS AND TRANSFERS TO ALTERNATE STATE AID

. . . Racial imbalance, the condition of a public school in which more than fifty percent of the pupils attending such school are non white . . .

. . . The school committee of each city, town and regional school district shall annually, at such time and in such form as the commissioner shall determine, submit to the commissioner statistics sufficient to enable a determination to be made of the percent of white and non-white pupils attending all public schools and attending each public school under the jurisdiction of each such committee . . .

. . . Any such plan so filed shall set forth in detail the proposed changes in existing school attendance districts, additions to existing school buildings, use of leased or portable facilities, changes in use of school buildings, and any other measures to provide a place for such pupil at such other school. Any such plan shall take into consideration on an equal basis with reduction or elimination of racial imbalance the safety of pupils in their traveling between school and home . . .

CHAPTER 76, Section 12A. PLAN FOR ATTENDANCE IN PUBLIC SCHOOL TO ELIMINATE RACIAL IMBALANCE: FINANCIAL ASSISTANCE

The school committee of any city or town or any regional district school committee may adopt a plan for attendance at its schools by any child who resides in another city, town or regional school district in which racial imbalance, as defined in section thirty-seven D of Chapter seventy-one, exists in a public school . . .

. . . The commonwealth shall, subject to appropriation and upon certification by the board, provide financial assistance in accordance with such agreement. Such financial assistance shall include payments for: (i) the cost per pupil of educating each non-resident child, as approved by the board (ii) the cost of transportation of each such child, as approved by the board . . .

CHAPTER 71A, Section 8. TRANSPORTATION OF PUPILS - (REIMBURSEMENT - TRANSITIONAL BILINGUAL EDUCATION)

The state treasurer shall annually, on or before November twentieth, reimburse any city, town, regional school district or independent vocational school for expenditures incurred during the previous fiscal year in the transportation of any pupil enrolled in a transitional bilingual education program and who resides at least one and one-half miles from the school which the pupil attends, as measured by a commonly traveled route . . .

CHAPTER 71B, Section 14. REIMBURSEMENT FOR TRANSPORTATION OF PUPILS - (SPECIAL EDUCATION)

The state treasurer shall annually, on or before November twentieth, reimburse any city, town, regional school district or independent vocational school for expenditures incurred during the previous fiscal year in the transportation of pupils enrolled in special needs programs . . . provided that such transportation services are required by the educational plan of each such pupil, and that such services are not normally provided to pupils enrolled in regular day program in said city, town, regional school district or independent vocational school . . .

CHAPTER 74, Section 8A. TRANSPORTATION OF PUPILS - (REIMBURSEMENT - OCCUPATIONAL EDUCATION)

A town where a person resides who is admitted to a day school in another town under section seven, shall, through its school committee, when necessary, provide for the transportation of such person, and shall, subject to appropriation, be entitled to state reimbursement to the extent of fifty percent of the amount so expended . . . provided . . . that no transportation shall be provided for, or reimbursement made on account of, any pupil who resides less than one and one-half miles from the school which he attends. A town shall not be required under the provisions of this section to provide for the transportation of a person who has completed the twelfth grade of school or the equivalent thereto.

C. **Other School Transportation Statutes**

CHAPTER 159A, Section 11A. CHARTER, SCHOOL OR SPECIAL SERVICE VEHICLES

No person shall operate or offer to provide service by means of any motor vehicle carrying ten or more persons, including the driver, upon any public way in charter service . . . unless he shall have obtained from the department a license to engage in the business of rendering such service and certifying that the rendering of such service is consistent with the public interest, that public convenience and necessity require it and that the applicant is fit, willing and able properly to perform such service . . .

No person shall operate any motor vehicle carrying ten or more persons, including the driver, upon any public way in special service, or school service . . . unless he shall have obtained

from the department a permit to render such special service, or school service, certifying that the rendering of such special service or school service is consistent with the public interest, and public convenience requires it . . .

No licensee under this section shall change his address, place of business, the place where his buses or any of them are usually garaged, or his base of operations from one city or town to another, unless such change shall be approved by the department after a public hearing and notice to the holders of other licenses under this section in the city or town into which said change is sought to be made, and in the adjacent cities and towns thereto, and to holders of certificates issued under section seven, who are doing business in such city or town, and unless a finding is made by said department that such change is consistent with the public interest and that public convenience and necessity require such change.

This section shall not be so construed so as to prohibit the use of school buses under contract to a school system in transporting pupils to and from summer school and school-sponsored extracurricular activities.

CHAPTER 159, Section 104. INTERFERENCE WITH PUBLIC VEHICLES OR DRIVERS - PENALTIES

Whoever willfully throws or shoots a missile at a locomotive engine, or railroad or railway car or train, or at a motor bus or trackless trolley vehicle, or at a school bus, or at a person on such engine, car, train, motor bus or trackless trolley vehicle, or school bus, or in any way assaults or interferes with a conductor, engineer, brakeman, motorman or operator while in the performance of his duty on or near such engine, car, train, motor bus or trackless trolley vehicle, or school bus, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both . . .

CHAPTER 161, Section 108. STUDENT RATES - (STREET RAILWAYS)

Thr rates of fare charged by street or elevated railway companies for the transportation of pupils of the public day schools or public evening schools, of vocational schools subject to chapter seventy-four, or of private schools, between a given point from or to which it is necessary for them to ride in traveling to or from the schoolhouses in which they attend school and their homes, whether such schoolhouses are located in the city or town where the pupils reside or in another city or town, shall not exceed one half the regular fare charged by such street or elevated railway company for the transportation of other passengers between said points, and tickets for the transportation of pupils as aforesaid, good during the days or evenings on which said schools are in session, shall be sold by said companies in lots of ten each . . .

CHAPTER 161A, Section 5. FARES CHARGED BY THE MASSACHUSETTS BAY TRANSIT AUTHORITY

The board of directors shall not fix a fare for pupils of public day or evening schools and pupils of private day school or private evening school or industrial day or evening school, giving substantially the same character and grade of instruction as the schools conducted at public expense and of a not higher grade than a high school for transportation between such schools and their homes, or for children between the ages of five and eleven years, inclusive, in excess of one half the regular adult cash fare with free transfer privileges . . .

CHAPTER 71, Section 47. ATHLETIC PROGRAMS: SCHOOL ORGANIZATIONS: REGULATIONS

. . . Cities and towns may appropriate for the employment of coaches to supervise in public schools physical education, athletics, sports, games and play, and for the transportation and expenses of public school athletic teams, coaches, cheerleaders, bands and any other groups composed of public school pupils which bear the school name and are under the control of the school committee . . .

CHAPTER 71, Section 6. BOARD IN LIEU OF TRANSPORTATION FOR HIGH SCHOOL STUDENTS

. . . Whenever, in the judgment of the department, it is expedient that such a pupil should board in the town of attendance, the town of residence may, through its school committee, pay toward such board, in lieu of transportation, such sum as the said committee may fix . . .

CHAPTER 76, Section 14. ISLAND CHILDREN: TRANSPORTATION

The department of education may provide transportation to and from school, or board in place thereof, for such children of school age as live upon islands within the commonwealth that are without schools, in cases where the local authorities are not required by law to provide such transportation.

CHAPTER 71, Section 71A. SAFETY STATIONS ON HIGHWAYS

A school committee may, subject, however, to all other provisions of law, designate the locations for the erection of highway safety stations for children awaiting a school bus; provided that such locations have been approved by the school superintendent, or as his designee, the school transportation officer. A school committee may order the discontinuance of the use of any such station by the children if it is not constructed of durable material with a floor of concrete raised above ground level, or is not kept clean, well painted, free of snow, and suitably maintained at all times.

CHAPTER 71, Section 48A. SCHOOL SAFETY PATROLS - PURCHASE OF TRAFFIC SAFETY BELTS

School committees shall have authority to organize school safety patrols, consisting of pupils, whose functions shall be to encourage pupils to cross highways at designated crossings and when conditions are safe, to assist drivers of school buses in maintaining safety rules and to protect pupils who are boarding or alighting from such buses; and may adopt regulations relative to the flagging or signaling of school buses by members of said safety patrols. Said committees may make expenditures, from funds appropriated for school purposes, for the purchase of traffic belts, so called, to be used by the safety patrol leaders in safeguarding the passage of pupils to and from school. Nothing herein contained shall authorize a safety patrol member to direct vehicular traffic, provided, however, that such patrol member may use a flag or other approved signal to indicate to a driver that school children are crossing or are about to cross the street. No patrol member shall be stationed in that portion of the highway intended for the use of vehicular traffic, but shall perform his duties from the curb and sidewalk areas.

No liability shall attach either to the school committees or any individual member thereof, a superintendent, teacher, patrol member, or parent of a patrol member, or other school authority by virtue of the organization, maintenance or operation of a safety patrol under authority of this section.

D. Registry of Motor Vehicles Statutes as Amended

The following is a summary of statutory school transportation requirements in Massachusetts General Laws regulated by the Registry of Motor Vehicles. The statutes listed are a summation; statutes should be consulted in their entirety.

CHAPTER 90, Section 1. DEFINITION: SCHOOL BUS AND SCHOOL PUPIL

The following words used in this chapter shall have the following meanings, unless a different meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the legislature: . . .

"School bus", any motor vehicle used for the transportation of school pupils and school personnel to and from school or for the transportation of children enrolled in a camp or recreational program, while so used, but not including any such motor vehicle used for not more than five days in case of emergency or a motor vehicle while also used for the common carriage of the public under a certificate and permit issued under sections seven and eight of chapter one hundred and fifty-nine A, or a motor vehicle having permanent seating accommodations for and carrying not more than eight persons in addition to the operator, or a motor vehicle used to transport vocational students participating in a work project to and from a work site and having permanent seating accommodations for not more than fourteen persons in addition to the operator.

"School pupil", any person enrolled in any school, kindergarten through grade twelve, or enrolled in any program for day care services, or in any program for children with special needs as defined in section one of chapter seventy-one B, or in any organized day or summer camp program or any activity supported by said schools . . .

CHAPTER 90, Section 1A. SCHOOL BUS REGISTRATION

. . . No motor vehicle used as a school bus, except a vehicle so used under contract with a city or town and insured as provided in section four of chapter forty of the General Laws, or a vehicle for the operation of which security is required to be furnished under section six of chapter one hundred and fifty-nine A, shall be registered under sections two to five, inclusive, unless the policy or bond as defined in section thirty-four A, or the binder as described in the definition of "certificate" in said section provides indemnity, protection or security in the case of any one accident resulting in injury to or death of more than one person up to the amount of fifty thousand dollars.

No school bus shall be originally registered in the name of an applicant for registration under sections two to five, inclusive, unless the chassis model year is nineteen hundred and seventy-seven or any subsequent model year.

CHAPTER 90, Section 7A. RULES AND REGULATIONS FOR PERIODIC SAFETY AND EMISSIONS INSPECTIONS OF MOTOR VEHICLES AND BUSES; FEES; MOTOR VEHICLE INSPECTION FUND

. . . The registrar shall establish rules and regulations providing for the inspection of school buses or buses operated under a certificate, license, or permit issued in accordance with the provisions of chapter one hundred and fifty-nine A which are used for the transportation of school children to and from school and in connection with school activities other than such buses used simultaneously as public common carriers of passengers or designed primarily for mass transportation within seven days of the date on which the vehicle is first registered to a new owner and during the months of January, March, May, September and November.

. . . The purpose of the safety and combined safety and emissions inspection regulations shall require that motor vehicles are provided with the following equipment maintained in good order: a vehicle identification number, brakes, stop lamps, lights, directional signals, horn, exhaust system, steering and suspension systems, glazing, windshield cleaner, number plates, tires, fenders, bumpers, external sheet metal, reflectors, splash guards, chock blocks, air pollution emission control systems or devices, and safety belts for motor vehicles subject to section seven BB.

CHAPTER 90, Section 7AA. CHILDREN AS PASSENGERS IN MOTOR VEHICLES

No child less than five years of age shall ride as a passenger in said motor vehicle on any way unless said child is wearing a safety belt which is properly adjusted and fastened or unless such child is properly adjusted and fastened or unless such child is properly fastened and secured by a child passenger restraint as defined in section one.

The provisions of this section shall not apply to any such child who is:

(1) riding as a passenger in a motor vehicle in which all seating positions equipped with safety belts or child passenger restraints are occupied by other passengers who are using said restraints;
(2) riding as a passenger in a motor vehicle used to transport passengers for hire;
(3) riding as a passenger in a motor vehicle not equipped with safety belts;
(4) physically unable to use safety belts or child passenger restraints.

Any operator of a motor vehicle who violates the provisions of this section shall be subject to a fine of not more than twenty-five dollars; provided however, that such fine may be waived if the court is satisfied that the defendant has purchased a child passenger restraint as defined in section one.

A violation of this section shall not be used as evidence of contributory negligence in any civil action.

CHAPTER 90, Section 7B. EQUIPMENT AND OPERATION OF SCHOOL BUSES

No person shall operate any school bus, and the owner or custodian of a school bus shall not permit the same to be operated upon or to remain upon any way, unless the following requirements are complied with: -

(1) The words "**SCHOOL BUS**" shall be painted or otherwise displayed on the front and rear of each such vehicle in black letters of eight inches in height . . . [In accordance with federal standards] . . . School buses being operated on a public highway and transporting primarily passengers other than school pupils shall have the words "**SCHOOL BUS**" covered, removed, or otherwise concealed, and stop arms and equipment required by clauses (7) and (11) shall not be activated during the transportation of such passengers;
(2) Each school bus shall contain adequate seating accommodations for each passenger transported therein, provided that any such bus in which adequate straps, handles or other supports are available for standing passengers may carry not more than twenty-five percent more passengers than those for whom adequate seating accommodations are provided;
(3) All doors shall be kept closed while the bus is in motion;

(4) Each school bus shall be operated by a person eighteen years of age or over who is licensed under section eight A or who is licensed under section nine of chapter one hundred and fifty-nine A and is subject to an annual physical examination in conformity with such minimum physical qualifications as shall be determined by the registrar in collaboration with the commissioner of the department of public utilities; provided, however, that in case of any emergency such school bus may, for a period not to exceed three consecutive school days, be operated by any person, eighteen years of age or over, who is duly licensed by the registrar and has in his possession a valid Class 1 or Class 2 Massachusetts motor vehicles operator's license; and provided, further, that no person shall operate a school bus whose license to do so is suspended or revoked, or whose application to operate a school bus has been rejected by the registrar;

(5) No fueling shall take place while any school bus is occupied by passengers;

(6) Beginning with the chassis model year nineteen hundred and seventy-five and subsequent model years, each school bus body and fenders shall be painted a color matching what is commonly known as "National School Bus Glossy Yellow", [In accordance with federal standards] . . . and bumpers, lettering, wheels and trim shall be painted a glossy black, [In accordance with federal standards] . . . The hood of vehicles manufactured for model year nineteen hundred and seventy-five and subsequent model years shall be painted lusterless black or lusterless yellow, in accordance with federal standards. This clause shall not apply to a motor vehicle operated under a certificate issued under section seven of chapter one hundred and fifty-nine A and a permit issued under section eight of said chapter which is designed primarily for other than pupil transportation;

(7) Each school bus shall be equipped with Type 1-Class A turn signal lamps . . . [In accordance with federal standards] . . . which shall have a four-way hazard warning signal switch to cause simultaneous flashing of the turn signal lamps which may be activated when a bus is approaching a stop to load or discharge students and, when needed, as a vehicular traffic hazard warning. School buses manufactured with a chassis of the nineteen hundred and eighty-four model year and after, shall be required to be equipped with the eight-light system, so-called, which shall include front and rear alternating flashing red signal lamps . . . [In accordance with federal standards] . . . and which shall remain flashing when school pupils are entering or leaving the bus. Said buses shall also be equipped with front and rear alternating amber signal lamps of the same size as, and placed adjacent to, the red signal lamps, and which shall be activated when said bus is approaching a stop to load or discharge students. On buses equipped with the eight-light system, so-called, the use of the four-way hazard warning lamps for the purpose of warning motorists of the vehicle's impending stop to load or discharge pupils shall be discontinued;

(8) Every school bus shall be equipped with a safety belt for the operator thereof, and said operator shall securely fasten said seat belt while transporting school pupils;

(9) Every school bus shall be equipped with two operable front windshield wipers;
(10) No person shall smoke or consume alcoholic beverages on a school bus while such bus is being used to transport school pupils;
(11) A stop warning device may be mounted upon the left side of a school bus and shall only be activated to extend outward when picking up or discharging passengers. Such device when fully extended shall not protrude more than twenty-two inches outward from the left side of the body and shall be constructed with a break-away hinge. The use of such a device shall not be construed as increasing the width of such bus beyond the limits prescribed by section nineteen;
(12) Every school bus shall be equipped with at least one interior mirror and at least two flat-surfaced rectangular exterior mirrors approved by the registrar in accordance with regulations issued by the registrar. Further, every school bus shall be equipped with a system of mirrors that give the driver a view of the roadway to each side of the bus and of the area immediately in front of the front bumper in accordance with rules and regulations issued by the registrar. All such mirrors shall meet all applicable Federal motor vehicle safety standards.
(13) Every school bus shall be equipped with a first-aid kit;
(14) Any school bus meeting the identification requirements of this section that is permanently converted for use wholly for purposes other than transporting pupils to and from school shall be painted a contrasting color other than National School Bus Glossy Yellow, and shall have the equipment required by clauses (1), (7), and (11) removed;
(15) All pupils transported in a school bus shall receive classroom instruction in safe riding practices at least three times during the following periods of each school year: the first week of the school year, the period between the months of September and January and the period between the month of January and the end of the school year. During each school year all such pupils shall participate at least twice in on-bus emergency evacuation drills.
(16) School bus drivers shall be required to perform daily pre-trip inspections of their buses and to report promptly in writing to their employer any defects or deficiencies discovered that may affect the safety of the vehicle's operation or result in its mechanical breakdown. Pre-trip inspection and condition reports for school buses shall be performed in accordance with regulations established by the registrar and the commissioner of public utilities;
(17) Every school bus operated on any way shall be chassis model year nineteen hundred and seventy-seven or any subsequent model year.

Section two of Chapter 250, Acts of 1986, amending Chapter 90, Section 7B — clause (17) — shall take effect on August fifteenth, nineteen hundred and eighty-nine.

No school bus having seating accommodations for more than sixteen school pupils equipped with passenger restraint systems shall be operated on the ways of the commonwealth unless said passenger restraint systems meet the requirement of one passenger restraint

system for each seated passenger; and the minimum requirements of Federal Motor Vehicle Safety Standards for buckles, belts, and seats. Only anchorages and seats installed as original equipment at time of manufacture of the school bus, or retrofitted by the original manufacturer of said school bus shall be used. No school bus manufactured before nineteen hundred and seventy-seven equipped with passenger restraint systems shall be operated on the ways of the commonwealth.

In addition to the requirements of the preceding paragraph, every school bus having seating accommodations for more than sixteen school pupils manufactured or retrofitted with passenger restraint systems after July first, nineteen hundred and eighty-six shall have sets of belts at each seat which are distinctively color coded; and each such belt shall consist of one nonadjustable buckle end no longer than twelve inches and one adjustable end no longer than twenty-nine inches; and each seating position adjacent to an aisle shall have the nonadjustable buckle end mounted on the aisle side; and each passenger restraint system shall comply with the minimum requirements of Federal Motor Vehicle Safety Standards for anchorages.

CHAPTER 90, Section 7BB. REQUIRING THE USE OF SAFETY BELTS IN CERTAIN MOTOR VEHICLES

No person shall operate a motor vehicle nor ride as a passenger in a motor vehicle on any way unless such person is wearing a safety belt which is properly adjusted and fastened. No person operating a motor vehicle shall permit any person under the age of sixteen to ride as a passenger in such motor vehicle unless such person is wearing a safety belt which is properly adjusted and fastened.

The provisions of this section shall not apply to: (1) any child less than five years of age who is subject to the provisions of section seven AA; (2) any person riding as a passenger in a motor vehicle in which all seating positions equipped with safety belts are occupied by other passengers who are using said restraints; (3) any person riding as a passenger in a bus or motor bus as defined in section one; (4) any person riding in a motor vehicle manufactured before July first, nineteen hundred and sixty-six; (5) any person operating or riding as a passenger in any motor vehicle in which safety belts were not installed as original equipment at The date of manufacture; (6) any person who is physically unable to use safety belts; provided, however, that such condition is duly certified by a physician who shall state the nature of the condition, as well as the reason such use is inappropriate; and provided, further, that no such physician shall be subject to liability in any civil action for the issuance or for the failure to issue such certification; (7) any rural mail carrier of the United States Postal Service operating a motor vehicle while in the performance of his duties; (8) any driver or passenger who frequently stops and leaves a motor vehicle or delivers property from said vehicle, if the speed of such vehicle between stops does not exceed fifteen miles per hour; (9) any police officer operating a motor vehicle while performing his duties as a police officer.

Any person who operates a motor vehicle without wearing a safety belt, and any person sixteen years of age or over who rides as a passenger in a motor vehicle without wearing a safety belt, who is not subject to the exceptions provided in this section shall be subject to a fine of fifteen dollars. Any operator of a motor vehicle shall also be subject to a fine of fifteen dollars. Any operator of a motor vehicle shall also be subject to an additional fine of fifteen dollars for each person under the age of sixteen who is a passenger in said motor vehicle and who is not subject to the exceptions provided in this section and is found to be in violation of this section. The provisions of this section shall be enforced by law enforcement agencies only when an operator of a motor vehicle has been stopped for a violation of the motor vehicle laws. For the purpose of enforcing this section, any passenger in a motor vehicle shall, upon the request of a law enforcement officer, give his true name, address and age.

Any person who receives a citation for violating this section may contest such citation pursuant to section three of chapter ninety C. Except for proceedings conducted pursuant to said section three, a violation of this section shall not be used as evidence in any civil action. A violation of this section shall not be considered as a conviction of a moving violation of the motor vehicle laws for the purposes of determining surcharges on motor vehicle insurance premiums pursuant to section one hundred and thirteen B of chapter one hundred and seventy-five.

NOTE: The Registry of Motor Vehicles has ruled that passengers on Type I and Type II school buses are exempted from mandatory seat belt compliance, under exemption (3) above.

CHAPTER 90, Section 7C. MINIMUM STANDARDS FOR CONSTRUCTION AND EQUIPMENT OF SCHOOL BUSES

The registrar, after a public hearing, may make, alter, rescind or add to rules and regulations establishing minimum standards for construction and equipment of school buses, which shall apply to all school buses without regard to any prior date when they were operated as such. A violation of any rule or regulations made under this section shall be punished in the same manner as a violation of a rule or regulation made under section thirty-one. Such rules and regulations shall not apply to a motor vehicle operated by a holder of a certificate issued under section seven of chapter one hundred and fifty-nine A and a permit issued under section eight of said chapter.

CHAPTER 90, Section 7D. APPLICATION OF SECTION 7B; ADDITIONAL EQUIPMENT

The requirements of clauses (1), (2), (3), (5), (7), (8), (9), (10), (13), and (16) of section seven B shall apply to any motor vehicle having permanent seating accommodations for and carrying not more than eight passengers in addition to the operator, regularly used for the transportation of school pupils, while so used. In addition each such vehicle shall be required to be

equipped with one pair of adequate chock blocks and three flares . . . [In accordance with federal standards] . . . which shall be placed upon the roadway in compliance with section fourteen B of chapter eighty-five when such vehicle becomes disabled upon the traveled portion of any street or highway.

CHAPTER 90, Section 7B½. TRANSPORTATION OF CERTAIN VOCATIONAL SCHOOL STUDENTS

The requirements of clauses (1), (3), (5), (8), (9), (10), (13), (15), and (16) of section seven B shall apply to any motor vehicle used to transport vocational school students participating in a work project to and from the work site and having permanent seating accommodations for not more than fourteen persons in addition to the operator. In addition, each such vehicle shall be required:

(1) To provide adequate space for the secured and affixed storage of all tools, equipment and materials to be transported;
(2) To be operated by a person twenty-one years of age or over and who is duly licensed by the registrar and has in his possession a valid Class 3 Massachusetts motor vehicle operator's license;
(3) To be equipped with one pair of adequate chock blocks and three flares . . . [In accordance with federal standards] . . . which shall be placed upon the roadway in compliance with section fourteen B of chapter eighty-five when such vehicle becomes disabled upon the traveled portion of any street or highway; and

(4) To be equipped with a seat belt for each permanent seating accommodation designed and installed in compliance with United States motor vehicle D.O.T. Safety Standards, which seat belt shall be fastened about each passenger at all times during vehicle operation.

CHAPTER 90, Section 7L. NO STANDEES IN SCHOOL BUSES; PENALTY

Notwithstanding the provisions of clause (2) of section seven B, in any city or town which accepts the provisions of this section, the operator of a school bus shall not allow the number of school children riding in the bus at any one time to exceed the number of seats therein, nor shall he drive said bus until each child is seated. Whoever violates the provisions of this section shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars.

CHAPTER 90, Section 8A. OPERATORS OF SCHOOL BUSES: LICENSING

Application for a license to be a school bus operator may be made by any person who shall have attained the age eighteen years but who has not passed his seventieth birthday and who shall have been a duly licensed motor vehicle operator for a period of three continuous years immediately prior to his application except a person who has been licensed and whose license is not in force because of revocation or suspension or whose right to operate is suspended by the registrar; but before such person shall be so

licensed the registrar shall be satisfied that he is of good moral character and has successfully completed a driving performance test, a visual test, a written test, and a physical examination by a licensed physician within a three-month period of the date of his application in conformity with such minimum physical qualifications as shall be determined by the registrar; provided, however, that no license shall be issued to a person who has been convicted of the crime of rape, unnatural act, sodomy, or the use, sale manufacture or distribution of or possession with intent to distribute any of the controlled substances which are unlawful under the provisions of section thirty-one of chapter ninety-four C.

All original applicants for a registry of motor vehicles bus driver's license or a department of public utilities driver's license when used to drive school pupils to and from school shall have first satisfactorily completed a pre-service school bus driver training program established by the commissioner of education in collaboration with the registrar and the commissioner of the department of public utilities. In addition, all renewal applicants for a registry of motor vehicles school bus driver's license or a department of public utilities driver's license when used to drive school pupils to or from school shall have first satisfactorily completed an in-service driver training program established by the commissioner of education in collaboration with the registrar and the commissioner of the department of public utilities . . .

. . . Notwithstanding the provisions of section thirty-two G of chapter ninety to the contrary, a person may engage in the business of instructing in pre-service and in-service school bus driver's training programs by being a certified school bus instructor . . .

CHAPTER 90, Section 14. PRECAUTIONS FOR SAFETY OF OTHER TRAVELERS - PENALITIES FOR FAILING TO STOP FOR A SCHOOL BUS

. . . When approaching a vehicle which displays a sign bearing the words **"SCHOOL BUS"** and is equipped with front and rear alternating flashing red signal lamps which are flashing, as provided in section seven B, and which has been stopped to allow pupils to alight from or board the same, a person operating a motor vehicle shall, except when approaching from the opposite direction on a divided highway, bring his vehicle to a full stop before reaching said school bus and shall not thereafter proceed until the warning signals are deactivated, unless directed to the contrary by a police officer duly authorized to control the movement of traffic. Any person who violates the provisions of the preceding sentence shall be punished by a fine of not less than one hundred dollars nor more than two hundred dollars; and for a second offense committed within two years of his prior offense, by a fine of not less than three hundred dollars nor more than four hundred dollars; and for a third or subsequent offense committed within four years of the earlier of his two most recent prior offenses, by a fine of not less than five hundred dollars nor more than one thousand dollars. A second conviction or third or subsequent conviction as set forth in the preceding sentence shall be reported forthwith by

the court or magistrate to the registrar who shall revoke immediately the license or right to operate of the person so convicted and no appeal, motion for a new trial or exceptions, shall operate to stay the revocation of the license or right to operate; provided, however, that no license or right to operate shall be issued by the registrar to any person convicted of a second such offense until thirty days after the date of revocation following said conviction or to any person convicted of a third or subsequent such offense until one year after the date of revocation following said conviction; and, provided further, that if the prosecution against such person has terminated in his favor the registrar shall forthwith reinstate his license or right to operate.

CHAPTER 90, Section 15. PRECAUTIONS AT RAILROAD CROSSINGS

Except as hereinafter otherwise provided, every person operating a motor vehicle, upon approaching a railroad crossing at grade, shall reduce the speed of the vehicle to a reasonable and proper rate before proceeding over the crossing, and shall proceed over the crossing at such rate of speed and with such care as is reasonable and proper under the circumstances. Every person operating a school bus, or any motor vehicle carrying explosive substances or inflammable liquids as a cargo, or part of a cargo, upon approaching a railroad crossing at grade, and every person operating a motor vehicle, upon approaching at grade a railroad crossing protected by red lights which flash as a warning or by an automatic gate, while such lights are flashing or such gate is lowered, or when a crossing is protected by a railroad employee waving a red flag or lantern, shall bring his vehicle to a full stop not more than seventy-five feet from the nearest track of said railroad, and shall not proceed to cross until it is safe to do so. The operator of a school bus, in addition to bringing his vehicle to a full stop, as aforesaid, shall open the service door, ascertain if he may cross safely and thereupon close said door before proceeding. Whoever violates any provision of this section shall be punished by a fine of not less than ten nor more than fifty dollars.

CHAPTER 90, Section 17. SPEED LIMITS

No person operating a motor vehicle on any way shall run it at a rate of speed greater than is reasonable and proper, having regard to traffic and the use of the way and the safety of public . . . Except on a limited access highway, no person shall operate a school bus at a rate of speed exceeding forty miles per hour, while actually engaged in carrying school children.

CHAPTER 90, Section 20. EXCESS OF AUTHORIZED NUMBER OF PASSENGERS: PENALTIES AND PUNISHMENT

. . . provided, that any person convicted of operating or permitting the operation of a school bus carrying passengers in excess of the number authorized under section seven B shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both . . .

CHAPTER 90, Section 33. FEES

The registrar or his authorized agents shall collect fees, as determined annually by the commissioner of administration under the provision of section three B of chapter seven for the following: -- . . .

For every examination for a learner's permit.

For the registration of every motor vehicle, the fee for which is not herein otherwise provided; and for the issuance in connection therewith, at the request of the applicant, of a distinctive initial plate, or of a particular number plate other than a distinctive initial plate; providing, however, for a similar fee for the issuance of a number plate bearing the station call letters of an amateur radio operator. The registrar shall make available to registered owners of motor vehicles any unissued or returned distinctive initialed or numbered registration plates.

For the registration of every motor vehicle and trailer owned by any political subdivision of the commonwealth, and used solely for official business, no fee shall be collected hereunder.

For the registration of every motor bus not owned as provided in the preceding paragraph which is used exclusively under contract with a political subdivision or school district of the commonwealth for the transportation of school children; provided, that any such motor bus may also be used for the transportation of persons to and from church and Sunday school services, and for the transportation of children to and from educational or recreational projects sponsored by a city or town or by any association or organization supported wholly or in part by public or private donations for charitable purposes without the payment of additional registration fee. For the registration of every motor bus used for carrying passengers for hire pursuant to a certificate, license or permit issued by the department of public utilities in accordance with the provisions of chapter one hundred and fifty-nine A, a fee for each seat. This and the two preceding paragraphs shall apply to the registration of vehicles described therein regardless of whether they are designed to be propelled otherwise than by fuel as defined in section one of chapter sixty-four A, in this section referred to as "non-gasoline driven", or designed to be propelled otherwise than by fuel as defined in section one of chapter sixty-four A, in this section referred to as "gasoline driven". The term "gasoline driven" as used in this section shall include vehicles propelled by Diesel fuel as defined in paragraph (d) of section one of said chapter sixty-four A.

For the registration of every motor bus or other motor vehicle, the fee for the registration of which is not hereinbefore provided for, used for carrying passengers for hire and having a seating capacity of seven persons or less, a specified amount for each seat when non-gasoline driven and a specified amount for each seat when gasoline driven, and for the registration of every such motor bus

or other vehicle having a seating capacity in excess of seven persons, a specified amount for each seat when non-gasoline driven and a specified amount for each seat when gasoline driven, but in no event less than a specified amount when non-gasoline driven or a specified amount when gasoline driven. In determining seating capacity aforesaid the driver's seat shall not be included, but the largest number of passengers to be carried in seats shall be included.

CHAPTER 175, Section 113B. SEAT BELTS, ETC.

Section 4. . . . In fixing and establishing a premium charge for bodily injury coverage for a motor vehicle, the commissioner shall reflect the savings attributable to the increased use of safety belts as required by the provisions of section seven BB of chapter ninety . . .

Section 6. The governor's highway safety bureau shall conduct a public information and education program in motor vehicle occupant protection under the supervision of the secretary of public safety. The public information and education program shall consist of public service announcements, demonstrations, regional conferences, pre-school and grammar school education programs and police training.

The secretary of public safety shall file a report containing his findings on the effectiveness of such education program with the clerk of the house of representatives and said clerk shall forward the report to the joint legislative committee on public safety no later than March thirtieth, nineteen hundred and eighty-six; provided, however, that the report shall include a survey showing the percentage of drivers in the commonwealth wearing safety belts in February of nineteen hundred and eighty-six.

Section 7. The secretary of the commonwealth shall cause to be placed upon the official ballot to be submitted to the voters at the next biennial state election the following nonbinding question:- "Do you approve of an act passed by the General Court in the year nineteen hundred and eighty-five, entitled 'An Act requiring the use of safety belts in certain motor vehicles'?"

Section 8. The passage of this act shall not be interpreted to rescind the requirement of occupant crash protection as contained in 49 Code of Federal Regulations 571.208, as authorized by 15 USC 1392

Section 9. This act shall take effect on January first, nineteen hundred and eighty-six.

X. SCHOOL BUS SAFETY STANDARDS

A. FEDERAL

1. There are two (2) sets of regulations issued under different Acts of Congress that relate to the safety of school buses. The first of these, the motor vehicle safety standards issued by the National Highway Traffic Safety Administration (NHTSA) under the National Traffic and Motor Vehicle Safety Act of 1966, applies to the manufacture and sale of new motor vehicles. In a 1974 amendment to the Act, Congress expressly directed NHTSA to issue standards on specific aspects of school bus safety, including emergency exits, seating systems, windows and windshields, and bus structure.

   These NHTSA standards became effective April 1, 1977 and apply to each school bus manufactured on or after that date. In addition, a number of special requirements were made in existing standards. The new Federal Motor Vehicle Safety Standards (FMVSS) issued were as follows:

   a. **FMVSS No. 217 Bus Window Retention and Release**
   This standard prescribes the minimum emergency exits: numbers, dimensions, and opening characteristics for school buses in both size categories -- under 10,000 pounds and over 10,000 pounds.

   b. **FMVSS No. 220 School Bus Rollover Protection**
   This standard applies to all school buses and requires that a force of 1-1/2 times the unloaded vehicle weight be applied to the roof of the vehicle body structure. The downward vertical movement of the test plate cannot exceed 5-1/8 inches at any point, and emergency exits must be capable of being opened as specified in FMVSS No. 217.

   c. **FMVSS No. 221 School Bus Body Joint Strength**
   This standard applies only to large school buses over 10,000 pounds. It requires that " . . . each body panel joint shall be capable of holding the body panel to the member to which it is joined when subjected to a force of 60% of the tensile strength of the weakest joined body panel . . . "

   d. **FMVSS No. 222 School Bus Seating and Crash Protection**
   This standard applies to all school buses and is the basis of the "compartmentalization" concept of passenger protection.

The following two (2) standards were existing standards that were modified to include school buses:

e. **FMVSS No. 301 Fuel System Integrity**
This standard was fully effective for all vehicles under 10,000 pounds, except motorcycles, on September 1, 1977. It requires that fuel leakage be no more than one ounce per minute from any part of the fuel system when the vehicle is subject to the following:

(1) a 30 m.p.h. fixed barrier frontal collision at an angle of ± 30 degrees
(2) a 30 m.p.h. rear end moving barrier collision
(3) a 20 m.p.h. moving barrier lateral collision

A special test was prescribed for large school buses over 10,000 pounds and utilizes a moving barrier collision at 30 m.p.h. at any point. (Other requirements such as fuel leakage limitation are the same.)

f. **FMVSS No. 302 Flammability of Interior Materials**
This standard applies to all vehicles, except motorcycles, and is designed to prevent deaths and injuries from fires originating in the interior of vehicles from sources such as matches and cigarettes. This is done by requiring that all interior materials have a low burn rate, (4 inches per minute, horizontal), allowing passengers sufficient time to evacuate the vehicle prior to serious fires involvement.

2. **Highway Safety Program Standard 17 (HSPS17)**, "Pupil Transportation Safety", sets forth guidelines for a state highway safety program for pupil transportation, including the identification, operation, and maintenance of school buses; training of personnel; and administration. The intent of guidelines is to provide the latest state-of-the-art thinking on specific highway safety issues, rather than place requirements on a program. (See Appendix #1)

3. **Seat Belts**

NHTSA believes that the occupant protection required in school buses manufactured after April 1, 1977, plus the inherent safety of a highly recognizable vehicle that travels on a regular route, provides a high level of safety protection. FMVSS No. 222, School Bus Passenger Seating and Crash Protection", sets requirements for the interior of large school buses which provide children a high level of protection without the need to "buckle up". The standard requires high and strong seats and seat backs, seat back padding, and seat spacing that reduces the chance of the occupant being thrown

over the seat in front. The approach taken to bus safety is commonly referred to as **compartmentalization.** Compartmentalization, as outlined in the standard, requires strength in the entire seating system which includes the floor, the seat frame, and the fastening of the frames to the floor while at the same time providing seat system padding and flexibility to absorb energy in a crash. The NHTSA compartmentalization position is based on extensive research, crash testing, and performance history for over twenty years.

It is important to emphasize that FMVSS No. 222, "School Bus Passenger Seating and Crash Protection", specifies the minimum safety requirements applicable to school buses. Nothing prohibits a local school district from purchasing buses equipped with safety belts or requiring safety belts on buses used to transport pupils to and from school. School districts that want to provide safety belts in their large school buses are free to do so.

Small, van-type school buses (under 10,000 pounds gross vehicle weight) are required, the same as passenger cars, to have seat belts. These small school buses respond in a crash in a similar manner as automobiles because of their weight and design.

B. **Massachusetts Rules and Regulations Establishing Minimum Standards for Construction and Equipment of School Buses, 1978, (1980 Edition)**

Under authority granted by Section 31 of Chapter 90 of the General Laws and in accordance with the provisions of Section 7c of said chapter, and after due publication and hearing, rules and regulations establishing minimum standards for the construction and equipment of school buses for which the chassis is manufactured for the model year 1975 or subsequent model years are hereby adopted. Regulations established by the Registrar on July 21, 1952, August 8, 1966, October 17, 1973, June 25, 1974, and March 1, 1975, shall be superseded by these Regulations in those portions having a common reference.

The National Traffic and Motor Vehicle Safety Act of 1966 (Public Law 89-563) provides in Section 103 (d) that "Whenever a Federal motor vehicle safety standard established under this title is in effect, no State or political subdivision of a State shall have any authority to establish, or to continue in effect, with respect to any motor vehicle or item of motor vehicle equipment any safety standard applicable to the same aspect of performance of such vehicle or item of equipment which is not identical to the Federal Standard. Nothing in this Section shall be construed to prevent the Federal Government or the government of any State or political subdivision thereof from establishing a safety requirement applicable to motor vehicles or motor vehicle equipment procured for its own use if such requirement imposes a higher standard of performance than that required to comply with the otherwise applicable Federal Standard."

In view of the above, any incomplete vehicle (chassis) meeting the requirements of an established and effective Federal Motor Vehicle Safety Standard on the date said incomplete vehicle (chassis) was manufactured or any complete vehicle (body and chassis) meeting the requirements of an established and effective Federal Motor Vehicle Safety Standard on the date said vehicle was completed is deemed to be in compliance with any portion of these rules and regulations for which a Federal Motor Vehicle Safety Standard has been established and is in effect.

1. **SCOPE:**

1.1 This regulation is intended to provide certain minimum standards for the construction and equipping of Type I and Type II School Buses as defined herein, for which the chassis is manufactured for the model year 1975 or subsequent model years. (Ref. 5.3.2.). Both types must meet all of these requirements except where differentiation is so indicated.

2. **DEFINITIONS:**

2.1 **School Bus - (Type I):** A Type I School Bus is any motor vehicle with provision for 221 inches (17-13" seats) or more cumulative length of passenger seating space width exclusive of the driver, measured longitudinally of the seat. This provides a minimum of 13 inches of seating width for each of 17 or more passengers.

School Bus - (Type II): A Type II School Bus is any motor vehicle with provision for a minimum of thirteen inches of seating space width for each of a maximum of sixteen passengers exclusive of the driver, with the exception of motor vehicles designed for carrying not more than eight passengers in addition to the driver.

2.2 **SAE** - Society of Automotive Engineers.

2.3 **Body on Chassis Type** - This refers to the mounting of a body on a truck chassis.

2.3.1 **Body on Chassis Transit Type** - This refers to the mounting of a body on a chassis with an engine located inside the rear or forward portions of the bus body extremities.

2.4 **Integral Type Bus** - A bus manufactured as an integral unit and not constructed of a separate body and chassis.

2.5 **School Bus Alternately Flashing Signal Lamps** - Alternately flashing signal lamps mounted at the same horizontal level, to inform highway users that the school bus is stopping or stopped to board or discharge passengers.

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2.6 **U.S. DOT MVSS** - United States Department of Transportation Motor Vehicle Safety Standard. (Federal Motor Vehicle Safety Standard).

3. **DIMENSIONS:**

3.1 **Type I** - Outside body width not to exceed 102 inches. Outside over-all length maximum 40 feet. Inside height minimum 72 inches, metal to metal.

Type II - Outside body width not to exceed 102 inches. Outside over-all length - maximum 25 feet. Inside height minimum 60 inches, metal to metal.

CONSTRUCTION OF BODY

4. **BATTERY CARRIER:**

4.1 When the battery is mounted outside of the engine compartment by the chassis manufacturer, the body manufacturer shall securely attach battery in a closed, drained, weathertight and vented compartment in the body skirt, which shall retain the battery during upset or roll-over of the vehicle and whereby the battery shall be accessible from the outside for convenient servicing. The battery compartment door or cover shall be secured by an adequate and conveniently operated latch or other type fastener. The cables to the battery shall not be spliced.

5. **BODY STRUCTURE:**

5.1 Construction shall be of fire resistant material and all materials used inside the occupant compartment shall comply with the applicable provisions of US DOT MVSS-302.

5.2 Construction shall provide a reasonably dustproof, weathertight and fume proof unit. Openings between the chassis and passenger compartment shall be sealed to prevent fumes or gases from entering the bus body.

5.3 The bus body, whether of the integral type body or body on chassis type, or body on chassis transit type including all of its components and reinforcements, shall be of sufficient strength to support the entire weight of the fully loaded vehicle on its top or side if overturned. The body

shall be designed and built to provide impact and penetration resistance into the passenger compartment. The deflection of the body after testing in accordance with the code must not exceed the following measurements:

a.	Deflection at center of roof bow	3.00 inches
b.	Deflection at each side pillar at window sill	1.00 inches
c.	Deflection at center of floor	.40 inches

5.3.1 Manufacturers shall furnish certification in duplicate that the bus body meets the Static Load Test Code for School Bus Body Structure of 1965 as established by the School Bus Manufacturers Institute, and that the vehicle complies with the requirements of Section 5.6 or Section 5.7. This section applies to both integral and body on chassis types.

5.3.2 The body manufacturer shall indicate in a permanent and readily visible location on the body the month and year of final completion of the vehicle, and effective January 1, 1978 shall, in the same location, indicate the date of manufacture of the incomplete vehicle, the gross vehicle weight rating and the weight rating of each vehicle axle.

5.4 The floor shall be of fire resistant material, and shall be level except in the wheel housing, toe-board and driver's platform areas.

5.5 At all points of contact between longitudinal members and other structure material, attachment shall be by welding, riveting, or bolting. After load as called for in the Static Load Test Code has been removed, none of the following defects shall be evident:

a. Failure or separation at joints where longitudinal members are fastened to the roof bows.
b. Appreciable difference in deflection between adjacent longitudinal members and roof bows.
c. Twisting, buckling, or deformation of longitudinal member cross section.

5.6 **Strength of structural joints of School Bus bodies.** It is the intent of this section to insure that all structural joints within bus bodies which employ discrete fasteners, including those between heavy gauge members and those which join panels to panels or panels to heavier structures, achieve a significant proportion of the strength of the parent

metal, so that all available panel materials are capable of serving as part of the structure. Accordingly, in all joints of the above named types which employ discrete fasteners such as rivets, screws or bolts, the pitch of fasteners shall not exceed 24 times the thickness of the thickest material used in the joint. Alternatively, for any method of joining such structural members, it shall be demonstrated by calculation that the strength of such joints is at least 60% of the tensile strength of the thinnest joined member.

5.7 As an alternative to compliance with section 5.6, the manufacturer may furnish certification in duplicate that the vehicle complies with the requirements of section 5.7. It is the intent of section 5.7 to specify test criteria for a fully assembled school bus that will provide a measure of the integrated strength of the bus structure.

5.7.1 **Vehicle Collision Strength - Rear and Sides:** The stationary fully loaded bus shall be subjected to an impact into the rear and sides at any location perpendicular to these surfaces, by the full area of a moving barrier constructed substantially in accordance with S.A.E. Standard J972, with the exception that ground clearance to the lower edge of the barrier shall be 16 $\pm$ 1 inches, for Class I buses. Impact velocity of the moving barrier shall be 40 m.p.h. The bus load shall be simulated using a 120 pound sand bag in each available seat. Encroachment of internal bus panel material into the occupant space of the bus, as a result of the impact shall be no greater than 12 inches at any location. The bus body shall remain attached to its frame (if so equipped) at all body-to-frame fastener locations.

5.7.2 Vehicle Collision Strength - Frontal: The stationary fully loaded bus shall be subjected to an impact centrally into its front face and perpendicular to the major axis of the bus by a moving barrier constructed substantially in accordance with S.A.E. Standard J972, with the exception that ground clearance to the lower edge of the barrier shall be 16 $\pm$ 1 inches for Class I buses. Impact velocity of the moving barrier shall be 30 M.P.H. The bus load shall be simulated using a 120 pound sand bag in each available seat. Encroachment of bus components, accessories or structure into the occupant space to the rear of the driver's dash board shall be no greater than 12 inches.

5.7.3 Following the tests prescribed in 5.7.1 and 5.7.2 there shall be no panel separation which would permit ejection of occupants nor which would present substantial injury producing edges.

6. **BUMPER, REAR:**

6.1 **Type I** - The rear bumper shall be of 3/16 inch pressed steel channel and shall have not less than a 9 inch face. It shall wrap around the rear corners of the body to a point 12 inches forward as measured from the face of the bumper. It shall be attached directly to the chassis frame with provision for easy removal, the prevention of hitching to or riding thereon, the development of full strength against side or rear impact, and shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion and shall extend rearward sufficiently to protect all lamps. The rear bumper shall extend beyond the rearmost part of the body surface at least 1 inch, measured at the floor line. It shall be painted black or covered with a retroreflective material.

Type II - The rear bumper shall be provided with not less than a seven inch face. It shall be attached directly to the chassis frame with provision for easy removal, the prevention of hitching to or riding thereon, and shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion and shall extend rearward sufficiently to protect all lamps. The rear bumper shall extend beyond the rearmost part of the body surface at least one (1) inch measured at the floor line. It shall be painted black or covered with a retroreflective material. It shall interface with all other vehicle bumpers within a range of 16 inches to 20 inches above the level surface on which the vehicle rests.

7. CEILING:

7.1 **Type I** - The inside body height measured, metal to metal, from floor to ceiling at any point on the longitudinal center line between the front and rear vertical bows shall be at least 72 inches.

Type II - Must meet Type I requirements, except that minimum metal to metal height shall be 60 inches.

8. **DEFROSTERS:**

8.1 Defrosting and defogging equipment shall keep the windshield, the window to the left of the driver and the glass in the service door clear of fog, frost and snow. Defroster ducts, if used, shall be designed to prevent the placing of objects which might obstruct the flow of air. Windshield defrosting equipment shall meet U.S. DOT MVSS-103. Portable heaters may not be used.

9. **EMERGENCY DOOR AND EXIT:**

9.1 An emergency door shall be located in the rear and near the center, or in the left side of the rear half of the bus body. The door shall be clearly marked "EMERGENCY DOOR" in letters two inches in height at the top of or directly above the door on both the inside and the outside. An arrow at least six inches in length and three quarters of an inch in width indicating the direction the release mechanism should be turned to open the emergency door shall be displayed in a contrasting color on the inside of the emergency door. An arrow of equal dimensions indicating the direction the release mechanism should be turned to open the emergency door shall be displayed on the outside of the emergency door in black on the national school bus yellow background. The emergency door shall have a horizontal opening of at least 24 inches and a vertical opening of at least 48 inches measured from the floor level. No steps shall lead to the emergency door. The emergency door or exit shall be devised so as to be opened from the inside and the outside. Double rear emergency doors are permitted on Type II buses, provided that both doors open simultaneously upon activation of the release mechanism.

9.2 The passage to the emergency door shall be kept clear of obstructions. For rear doors the horizontal clearance of 24 inches shall be maintained for a distance of at least twelve inches inside the bus. When the emergency door is in the left side, a minimum horizontal clearance of 24 inches and a minimum vertical clearance of 48 inches shall be maintained between it and the center aisle.

9.3 **Type I -** The upper and lower portion of the central rear emergency door shall be equipped with approved safety glass, the exposed area of which shall be not less than four hundred (400) square inches in the upper portion and not less than three hundred fifty (350) square inches in the lower portion. The left side emergency door shall be equipped with safety glass in the upper portion and the lower portion

shall be at least the same gauge metal as the body. The emergency door shall be hinged on the right side if it is in the rear end of the bus and on the front side if it is in the left side and shall open only outward. Control from the driver's seat shall not be permitted.

Type II - The previous paragraph under 9.3 Type I applies to Type II buses except that body gauge metal may be substituted for glass in the lower portion of the rear emergency door and except that double rear emergency doors are permitted on Type II buses.

9.4 The emergency door shall be equipped with a slide-bar, cam-operated latch which shall have a minimum stroke of one inch. The latch shall be equipped with a suitable electric plunger-type switch connected with a distinctive audible signal automatically operated and located in the driver's compartment which shall clearly indicate the unlatching of this door and no cutoff switch shall be installed in the circuit. The switch shall be enclosed in a metal case, and wires leading from the switch shall be concealed in the body. The switch shall be so installed that the plunger contacts the farthest edge of the slide bar in such a manner that any movement of the slide bar will immediately close the circuit and activate the signal. The door latch shall be equipped with an interior handle which shall be capable of quick release but shall be protected against accidental release. It shall lift up to relese the latch. The outside handle shall be such as to minimize hitching and shall be a non-detachable device.

9.5 The installation of locks on the emergency or service doors shall include a device to prevent the activating of the starter mechanism of the vehicle engine while any door is locked. An audio-visual alarm shall indicate to the driver when any door is in the locked position while the ignition switch is in the "on" position.

10. **EMERGENCY WINDOWS:**

10.1 A rear emergency window at least 16 inches in height and as wide as practicable shall be provided in any bus where the emergency door is not in the rear. The rear emergency window shall be designed so as to be opened from both the inside and the outside. It shall be hinged at the top and assure against accidental closing in an emergency. A positive latch on the inside shall provide a quick release, but offer protection against accidental release.The outside handle shall be non-detachable and designed to minimize hitching.

10.2 Labeling shall indicate in $\frac{1}{2}$ inch letters on the inside how the window operates and in letters at least two inches in height the words "Emergency Exit" above on the inside and directly below on the outside.

10.3 A distinctive audible signal automatically operated shall clearly indicate to the driver the unlatching of the rear emergency window and no cutoff switch shall be installed in the circuit.

10.4 Paneling of sufficient strength to support the weight of any occupant shall cover the space between the top of the rear divan seat and the inside lower edge of the rear emergency window.

10.5 If the vehicle is equipped with pushout type side emergency windows, they shall be hinged at the top. A positive latch on the inside shall provide for quick release but offer protection against accidental release. Such windows shall comply with Section 10.3 and applicable U.S. DOT MVSS.

11. **FLOOR COVERING:**

11.1 The floor in the underseat, driver's compartment, and the toe-board areas including the tops of the wheel housings, shall be covered with a fire-resistant material which complies with U.S. DOT MVSS 302.

11.2 The floor covering in the aisle and entrance area shall be of a non-skid, wear resistant, fire resistant, and rib type which complies with U.S. DOT MVSS 302.

11.3 The floor covering shall not crack when subjected to sudden temperature change and shall be securely bonded to the floor with a waterproof adhesive material as recommended by the manufacturer of the floor-covering material. All seams shall be sealed with a waterproof sealer.

12. **GLAZING:**

12.1 All glazing materials shall be installed so that the identification mark is visible and legible and shall conform to U.S. DOT MVSS-205 as to installation and location. Laminated AS-1 safety glass shall be used in the windshield.

13. **HEATERS:**

13.1 An inside temperature of not less than 50 degrees Fahrenheit at average minimum January temperatures as established by the U.S. Department of Commerce, Weather Bureau, for the area in which the vehicle is to be operated shall be maintained throughout the bus.

13.2 All heaters except those installed on Type II buses by the original chassis manufacturer, shall bear a name plate which shall indicate the heater rating in accordance with the Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment, said plate to be affixed by the heater manufacturer which shall constitute certification that the heater performance is as shown on the plate.

13.3 Heater hoses shall be adequately supported to guard against excessive wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges and shall not interfere with or restrict the operation of any engine function. Heater hose shall conform to Standard SAE J20c as revised from time to time. Heater lines inside the passenger compartment shall be shielded to prevent accidental contact by driver or passengers.

14. **IDENTIFICATION:**

14.1 Exterior - The body shall be painted a uniform color known as National School Bus Glossy Yellow, according to specification available from the General Services Administration - Color No. 13432, Glossy Yellow - of Federal Standard No. 595A.

14.2 The trim on the exterior of the body, including the bumper, the lamp hoods, emergency door arrow, and the lettering on the front, rear and on both sides of the body shall be in Color No. 17038, Black, of Federal Standard No. 595a. As an alternate, the bumper may be covered with a retroreflective material.

14.3 Signs or lettering, other than that required or permitted by this regulation shall not appear on the front, back or sides of the bus, but the rated seating capacity and the owner's name shall be displayed, and the school or school district name may be displayed on the sides of the body. The designed pupil seating capacity shall be displayed to the left of the service door in terms such as "16-13 inch seats" or "48-13 inch seats," in letters not less than two inches in height, and adult seating capacity may also be displayed. The words "School Bus" shall be displayed in black on the front and rear of the bus or on signs attached thereto in letters eight inches in height and conforming to "Series B" of the standard alphabets for highway signs on the National School Bus Yellow background. Such words shall be placed as high as practicable and shall be plainly legible at the

distance of at least two hundred and fifty (250) feet in the direction toward which they are displayed. Legend on pusher type buses shall occupy approximately the same area. The body and chassis manufacturer's trade name or insignia may be displayed on the vehicle if applied by the manufacturer.

15. **INTERIOR:**

15.1 The body shall be thermally insulated between the inner and outer panels with a fire-resistant material conforming to specifications of the Underwriters' Laboratories, Inc. This material shall also serve adequately to reduce the noise level and vibrations.

15.2 The interior of the bus shall be free of all projections likely to cause injury. An inner lining shall be provided on ceiling and walls. Forward panels and other components shall be lapped by the rearward panels or components in a manner which in the event of separation will reduce the probability of exposure of sharp edges or other injury producing surfaces to the seated occupants. Exposed edges shall be beaded, hemmed or flanged.

16. **MIRRORS:**

16.1 Mirrors must comply with the statutory requirements of Chapter 90, Section 7b subparagraph 12, as amended by Chapter 555 of the Acts of 1974.

(12) Every school bus shall be equipped with at least one interior mirror, approved by the Registrar, which gives the operator a view of the rear in accordance with regulations issued by the Registrar. Every school bus shall be equipped with at least two flat-surfaced rectangular exterior mirrors, approved by the Registrar, one situated on each side of the bus forward of the operator, and each of said rectangular mirrors shall be mounted on the bus with a side angle adjustable convex mirror to provide an additional close-in field of vision to the operator but so as not to reduce the visual field of the flat-surfaced mirror below fifty square inches. Every school bus shall also be equipped with one convex mirror, with a diameter of at least seven and one-half inches, firmly mounted on the bus so that the seated operator may observe a reflection of the road from the front bumper forward to a point where direct observation is possible, and one convex mirror, with a diameter of at least seven and one-half inches, firmly mounted at the right front corner of the vehicle so that the seated operator may observe a reflection of the ground surface along the entire right hand side of the bus. (Effective October 16, 1974).

17. **MOUNTING:**

17.1 The chassis frame, for body on chassis type buses or body on chassis transit type buses shall extend to the rear edge of the rear body cross member. The body shall be attached to the chassis frame in such a manner as to minimize shifting of the body from the chassis under impact. Alteration in the length of the frame may be made only behind the rear hangers of the rear springs and shall not be for the purpose of extending the wheel base. Alterations in the length of the frame for a body on chassis transit type bus may be made behind the rear hangers of the rear springs and forward of the front hangers of the front springs and shall not be for the purpose of extending the wheel base. Said alterations may be made only if designed and guaranteed for a period of ten years, either by the original chassis manufacturer or by the company installing the school bus body.

17.2 The body front shall be attached and sealed to the chassis cowl in such a manner as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.

17.3 For body on chassis type buses or body on chassis transit type buses, insulating material shall be placed at all contact points between the body and chassis frame. This material shall be approximately 1/4 inch thick, of a wear and moisture resistant material, and shall be so attached to the chassis frame or body member that it will remain in position under any operating conditions. Vehicles utilizing a floor pan furnished by the original chassis manufactuer are exempted from the provisions of this section at contact points occurring between the floor pan and chassis frame at the time of chassis manufacture.

18. **REFLECTORS:**

18.1 Reflectors shall conform to U.S. DOT MVSS-108 and shall be located as follows:

a. On the rear, two (2) red reflectors, equally spaced as far from the center as practicable.

b. On each side, two (2) reflectors, one amber, at or near the front and one red at or near the rear.

c. On each side as near the center as practicable one amber reflector. (c) Not required on vehicles of less than 30 feet length per FMVSS-108.

18.2 Each reflector shall be mounted at a height not less than (15) inches and not higher than sixty (60) inches above the surface on which the unloaded bus stands.

19. **BUS RAILS:**

19.1 **Type I** - There shall be one rub rail located approximately at seat level which shall extend from the rear side of the service door completely around the bus body, except at the emergency door or rear compartment, to a point of curvature near the front of the body on the left side.

Type II - There shall be one rub rail located approximately at seat level, on each side.

19.2 There shall be one rub rail located approximately at the floor line which shall extend over the same longitudinal distance as the upper rub rail, except at the wheel-housing, and which shall terminate at the radii of the right and left rear corners.

19.3 Rub rails shall be constructed of 16-gauge longitudinally corrugated or ribbed steel of 4 inch minimum width. All rub rails shall be joined to the bus structure body posts so as to attain at least 60% of the tensile strength of the thinnest joined material. Rub rail joints shall not be directly over another panel joint in the bus material.

20. **SEAT BELT FOR THE DRIVER:**

20.1 A lap belt installation shall be provided for the driver and shall conform to the U.S. DOT MVSS No. 208-Seat Belt Installations; No. 209-Seat Belt Assemblies; and No. 210-Seat Belt Assembly Anchorages.

21. **SEATING**

21.1 All seats shall have a minimum fore and aft depth of 14 inches. Seat cushions shall be securely fastened to the seat structure.

21.2 In determining seating capacity of a bus, individual seating width shall be 13 inches as a minimum.

21.3 All seats shall be forward facing, except that not more than 30% may be other than forward facing. Seat construction and installation shall comply with applicable U.S. DOT MVSS. Jump seats are not acceptable. Aisles between forward facing seats shall have a minimum clear width of 12 inches.

21.4 The forwardmost seat on the right side of the bus shall be located so as not to interfere with the driver's vision and be not farther forward than the rear of the driver's seat when adjusted to its rearmost position.

21.5 The minimum center to center seat spacing shall be 27 inches, measured at cushion height. The distance between the rearmost position of the driver's seat and the front face of the seat back of the forwardmost seat on the left side shall not be less than 24 inches measured at cushion height.

21.6 The minimum distance between the steering wheel and the back rest of the driver's seat shall be 11 inches. The driver's seat shall be rigidly positioned, shall have self-contained vertical adjustment of not less than three inches and fore and aft adjustment of not less than 4 inches, without the use of separate tools or devices.

Type II - Three inch self-contained vertical adjustment not mandatory.

21.7 A minimum of 36 inches of headroom for the sitting position above the top of the undepressed cushion line of all seats shall be provided. Measurement shall be made vertically not more than 7 inches from the side wall at cushion height and at the fore and aft center of cushion.

21.8 The backs of seats of similar size shall be of the same width at the top and of the same height from the floor and shall slant at the same angle with the floor. The top rail, top corners, and the upper portion of the rear surface down to a line ten inches below and parallel to the top shall be padded sufficiently to reduce the likelihood of injury upon impact, subject to applicable U.S. DOT MVSS. Areas of seats not exposed to occupant impact need not meet padding requirements.

21.9 Where standees are permitted, a hand grip on each seat shall be provided and shall be enclosed and nonprotruding.

21.10 Seat padding and covering shall comply with the applicable provisions of U.S. DOT MVSS.

22. **SERVICE ENTRANCE:**

22.1 **Type I** - The service entrance shall be located on the right side near the front and in a location which shall provide the seated driver an unobstructed view of the entrance. The entrance shall have a minimum horizontal opening of 24 inches and a minimum vertical opening of 68 inches. The service door shall be manually or power operated by the seated driver and shall be designed to afford easy release and prevent accidental opening. No parts of the hand lever shall come together so as to shear or crush fingers. If one section of a folding door opens inward and the other opens outward, the forward section shall open outward. Vertical closing edges shall be equipped with padding to prevent injury. The bottom of the lower glass panel shall be not more than 35 inches from the ground when the bus is unloaded. The top of the upper glass panel shall be not more than six (6) inches from the top of the door. A grab handle of stainless clad steel not less than 10 inches in length shall be properly secured in an unobstruced location inside the doorway. Power operated doors shall be equipped for modulated control and for manual operation in case of power failure. The service door shall be labeled on the inside in letters at least one half ($^1/_2$) inch in height with instructions for emergency opening.

Type II - Type II buses shall comply with the Type I requirements except that the service entrance shall have an average width of horizontal opening of not less than 24 inches and a minimum vertical opening of 50 inches and except that if a sedan type door is used it shall be reinforced to support the door control operating mechanism and need not have glass in the lower portion, nor padding on the vertical closing edges.

22.2 **Type I** - The step risers shall be approximately equal in height, with the upper riser no more than 15 inches in height. The steps shall be enclosed to prevent accumulations of ice and snow, shall not protrude beyond the width of the body and be surfaced with a non-skid material with a one and one half ($1^1/_2$) inch white nosing as an integral piece. The stepwell shall be illuminated by at least one lamp providing a white light actuated automatically by the opening of the door. The lower step shall be not less than 12 inches and not more than 16 inches above the level on which the unloaded bus rests.

Type II - Type II Buses shall comply with Type I requirements except that the upper step riser shall be no more than 12 inches in height, and the entrance may be equipped with a running board type step which does not exceed the vehicle width.

23. **STANCHIONS AND GUARD RAILS:**

23.1 **Type I** - A vertical stanchion shall be installed from floor to roof at the right rear corner of the driver's seat in such a position as to neither interfere with the adjustment of the seat nor obstruct the 12 inch aisle. A guard rail, approximately 30 inches above the floor, but not higher than the driver's seat back when adjusted to its lowest position and so placed as not to interfere with the fore and aft adjustment of the driver's seat, shall extend from the vertical stanchion to the left wall.

Type II - Type II Buses need not comply with Section 23.1.

23.2 A vertical stanchion shall be installed at the rear of the entrance stepwell from floor to roof and located so as not to restrict the passageway at any level to less than 24 inches nor the aisle to less then 12 inches.

23.3 A guard rail and step-well guard panel shall be installed from right vertical stanchion to the right wall to prevent passengers in front seat from being thrown into the step-well. The guard rail shall be approximately 30 inches above the floor and its guard panel shall not restrict the entrance passageway to less than 24 inches at any level. The panel shall extend from the guard rail to within 2 inches of the floor. The guard panel shall be positioned or flanged to avoid having its lower edge extended over the step-well, and may be fastened to the floor.

23.4 The clearance between the step-well guard panel and the first seat shall be at least 24 inches measured from the panel to the front face of the seat back at seat cushion height.

23.5 All stanchions and guard rails shall be a minimum of one inch outside diameter steel or equivalent strength tubing and be padded to minimize injury producing impact forces.

24. **STEERING WHEEL:**

24.1 The steering wheel circumference shall have at least two inches of clearance at all points.

25. **STIRRUP STEPS:**

25.1 **Type I** - There shall be at least one folding stirrup step or recessed foothold and suitable located handles on each side of the front of the body for easy accessibility for cleaning the windshield and lamps.

Type II - Section 25.1 does not apply where entire windshield and lamps are easily accessible from the ground.

26. **STOP SIGNS:**

26.1 A Stop Warning device which complies with Massachusetts Statute may be provided. (Refer to Chapter 90, Section 7B, Item 11, Massachusetts General Laws).

27. **STORAGE COMPARTMENT FOR TOOLS:**

27.1 If tools are carried on the bus, a fire resistant container of adequate strength and capacity for the storage of tire chains, tow chains, and such tools as may be necessary for minor repairs while the bus is enroute shall be provided. The container shall provide reasonable security for its contents and be securely fastened to the body or chassis to prevent the container or its contents becoming accidentally dislodged.

28. **SUN VISOR:**

28.1 **Type I** - An interior adjustable sun visor not less than six (6) inches wide and 30 inches long shall be so installed that it can be turned up when not in use. It shall be supported by two brackets and be transparent.

Type II - An interior adjustable sun visor shall be so installed that it can be turned up when not in use.

29. **UNDERCOATING:**

29.1 The entire underside of the body, with the exception of non-metallic components, including the floor members and side panels below the floor level shall be coated with a fire-resistant material, applied by the spray method, in order to seal, insulate and to reduce oxidation and the noise level.

30. **VENTILATION:**

30.1 The body shall be equipped with a suitable, controlled ventilating system of sufficient capacity to maintain a proper quantity of air under operating conditions without the opening of windows except in extremely warm weather. If static type exhaust roof ventilator(s) are used, they shall be non-closeable and be installed in the low pressure area of the roof.

31. **WEIGHT DISTRIBUTION AND GROSS WEIGHT:**

31.1 **Type I -** For body on chassis type buses, the horizontal distance from the back of the cowl to the center line of the rear axle shall not be less than 65% nor more than 70% of the over-all length of the body at floor level, exclusive of the rear bumper. A tolerance of four inches will be permitted. This section is not applicable to buses originally completed on or after April 1, 1977.

Type II - This section is not applicable to Type II buses.

31.2 **Type I -** For body on chassis transit type buses or integral type buses, with engine in forward portion of body extremity: If entrance door is ahead of front wheels not more than 75% of gross vehicle weight shall be on rear tires nor more than 50% on front tires. If entrance door is behind front wheels not more than 75% of gross vehicle weight shall be on rear tires nor more than 40% on front tires. With engine in rear portion of body extremity: Not more than 75% of gross vehicle weight shall be on rear tires nor more than 40% on front tires.

Type II - This section is not applicable to Type II buses.

31.3 The gross weight of the loaded vehicle shall at no time exceed the manufacturer's gross vehicle weight rating. Axle weights shall at no time exceed the manufacturer's gross axle weight rating.

32. **WHEEL HOUSING:**

32.1 The wheel housing opening shall allow for easy tire removal and service.

32.2 The wheel housings shall be so designed to support seat and passenger loads and shall be attached to the floor sheets in such a manner as to prevent any dust, water, or fumes from entering the body.

32.3 The inside height of the wheel housing above the floor line shall not exceed 11 inches.

32.4 The wheel housings shall provide clearance for installation and use of tire chains as established by the National Association of Chain Manufacturers.

33. **WINDOW OPENINGS:**

33.1 **Type I** - All side windows shall operate freely. Those except the driver's and the rear most side windows shall open from 9 to 10½ inches and shall open from the top only, and provide an opening at least 9 x 22 inches. All exposed edges of glass shall be banded. Where side or rear windows are provided with guards or other devices designed to minimize damage to glazing material, said guards or devices shall be attached in a manner which will allow them to be quickly removed or raised in an emergency. No one guard or other device shall cover more than a single window.

Type II - The Type I Requirements apply, except that side windows shall open from 7 to 10½ inches and provide an opening of at least 7 x 22 inches.

34. **WINDSHIELDS:**

34.1 The glass in the windshield shall be of approved safety glass, so mounted that its identification mark is visible and legible and of a quality of laminated glass to prevent distortion of view in any direction. It shall be tinted heat absorbent, laminated AS-1 Safety Glass in compliance with U.S. DOT MVSS-205.

34.2 The windshield shall be large enough to permit the driver to see the highway clearly, shall be slanted to reduce glare, and shall be installed between front corner posts that are so designed and located so as to afford a minimum of obstruction to the driver's view of the highway.

34.3 The windshield may have a horizontal gradient band starting slightly above the line of the driver's vision and gradually decreasing in light transmission to 20 percent or less at the top of the windshield, in compliance with U.S. DOT MVSS-205.

35. **WINDSHIELD WIPERS:**

35.1 Two variable speed windshield wipers with non-glare arms and blades shall clean the maximum possible area of the windshield. Windshield wiper equipment shall meet U.S. DOT MVSS-104.

36. **WINDSHIELD WASHER:**

36.1 A windshield washer which will effectively clean the entire area covered by both windshield wipers shall be provided. Windshield washer equipment shall meet U.S. DOT MVSS-104.

CHASSIS REQUIREMENTS

37. **AIR CLEANERS:**

37.1 The bus shall be equipped with an adequate oil bath, dry element or equivalent type air cleaner mounted outside the passenger compartment. The air cleaner shall comply with SAE Air Cleaner Test Code J726b, as revised from time to time.

38. **AXLES:**

38.1 The front axle or other type of suspension assembly shall be of sufficient capacity at ground to support that portion of the load as would be imposed by the manufacturer's maximum gross vehicle weight rating.

38.2 The rear suspension assembly shall have a gross weight rating at ground equal to that portion of the load as would be imposed by the manufacturer's maximum gross vehicle weight rating.

39. **BRAKES:**

39.1 The bus shall be provided with at least two braking systems. One of these shall be the service brake system which shall act directly on at least four wheels. The other shall be the parking brake system with a separate means of application which shall operate directly or indirectly on at least two wheels. The service brake system shall suffice alone to stop said school bus within a proper distance as herein defined. If such systems are connected, combined, or have any part in common, such systems shall be so constructed that a failrue of any one element thereof will not leave the bus without brakes acting directly or indirectly on at least two wheels. All braking systems shall be constructed and designed so as to permit modulated control of brake application and release by the driver from the normal operating position. The service and parking brake systems, if air, vacuum or booster operated, shall provide at least three brake applications and release by the normal method after failure of the source of energy.

39.2 The service brake system shall be adequate to stop the bus, when loaded to the manufacturer's gross vehicle weight rating, within thirty-three feet from a speed of twenty miles per hour with a pedal effort of 200 pounds. The service brake system shall be so arranged as to provide separate systems for at least two wheels and so designed and constructed that rupture or leakage type failure of any single pressure component of the service brake system, except structural failures of the brake master cylinder body, effectiveness indicator body, or other housing common to the divided system will not result in complete loss of function of the vehicle brakes when force on the brake pedal is continued. "Pressure Component" means any internal component of the brake master cylinder or master control unit, wheel brake cylinder, brake line, brake hose, or equivalent, except vacuum assist components.

39.3 The parking brake system shall be adequate to hold the loaded vehicle on a 20 percent grade despite the exhaustion of any source of energy or leakage of any kind.

39.4 Vehicles having full compressed air systems or compressed air over hydraulic systems shall be equipped with a safety valve to protect the air system against excessive air pressure, an illuminated air gauge on the instrument panel to register pressure in the air system, and a visible or audible low pressure indicator to warn the driver when the pressure falls below sixty pounds per square inch.

39.5 Vehicles having full compressed air systems or vacuum actuated or compressed air over hydraulic systems shall be equipped with a check valve located between the source of supply and the reservoir which can be inspected for proper operation without disconnecting or loosening the lines.

39.6 Buses using vacuum in the operation of the brake systems shall be equipped with a warning signal readily audible or visible to the driver which will give a continuous warning when the vacuum in the system available for braking is eight inches of mercury or less and an illuminated gauge which will indicate to the driver the inches of mercury available for the operation of the brakes.

39.7 Brake lines shall be protected from excessive heat and vibration and be so installed as to prevent chafing.

39.8 Brake lining material shall meet the minimum standards as established by the Registrar.

39.9 Brake fluid installed in school bus hydraulic brake systems shall conform to the U.S. DOT MVSS-116.

39.10 Each brake drum or rotor shall be permanently and plainly marked to clearly indicate in legible cast or stamped legend the maximum safe diameter of the drum or minimum safe thickness of the rotor beyond which it must not be worn or machined, but must be discarded.

40. **BUMPER, FRONT:**

40.1 **Type I** - The front bumper shall be of 3/16 inches pressed steel channel and shall have not less than a 9 inch face, painted black, or covered with retro-reflective material and shall extend to protect the outer edges of the fenders. It shall be of sufficient strength to permit pushing another vehicle of equal gross weight without distortion. (The thickness and width requirement of 3/16 x 9 inches shall be applicable to chassis manufactured after July 1, 1975).

Type II - The front bumper shall be provided with not less than a seven inch face. It shall be painted black or covered with retro-reflective material and shall extend to protect the outer edges of the fenders. It shall be of sufficient strength to permit pushing another vehicle of equal gross weight without permanent distortion. It shall interface with all other vehicle bumpers within a range of 16 inches to 20 inches above the level surface on which the vehicle rests.

41. **COLOR:**

41.1 The cowl, fenders, and grill shall be painted national school bus glossy yellow according to specification available from General Services Administration. (Federal Standard No. 595a, Glossy Yellow Enamel #13432).

41.2 The body trim, wheels and lettering shall be black. (Federal Standard No. 595a, Black Enamel #17038).

41.3 The hood shall be painted lusterless black matching Federal Standard No. 595a, color #37038.

41.4 Manufacturers name plate and name plate trim may be chrome plated or may be an alternate color.

42. **DRIVE SHAFT:**

42.1 Each segment of the drive shaft shall be equipped with a suitable guard to prevent accident or injury in the event of its fracture or disconnection.

43. **EXHAUST SYSTEM AND MUFFLER:**

43.1 The exhaust system shall include the exhaust manifold and gaskets, piping leading from the flange of the exhaust manifold to and including the muffler(s). The system shall not extend into the body and shall be attached to the chassis. The tail pipe(s) shall be of non-flexible 16 gauge steel or equivalent and shall extend beyond the rear end of the chassis frame but not beyond the rear limit of the bumper. Vehicles equipped with a rear fuel tank furnished and mounted between the frame rails by the original chassis manufacturer in compliance with the provisions of FMVSS-301, and vehicles equipped with an original chassis manufacturer installed exhaust system designed to comply with E.P.A. noise emission sound levels may be equipped with a side terminated tail pipe. The complete exhaust system shall be tight and free from leaks and shall be properly insulated from the electrical wiring or any combustible part of the bus and shall not pass within twelve inches of the fuel tank or its connections unless a suitable heat baffle is installed between the exhaust system and the fuel tank and connections. No part of the exhaust system shall pass within twelve inches of any flexible brake line or hose unless adequately shielded by metal.

43.2 The total vehicle noise level from vehicles which are not originally designed to comply with E.P.A. noise emission sound levels shall not exceed 88dbA when tested in accordance with SAE J366a as revised from time to time.

44. **FRAME:**

44.1 The chassis manufacturer shall comply with section 17.1 under "mounting" where applicable.

45. **FUEL SYSTEM AND TANK:**

45.1 **Type I -** The fuel tank shall have the minimum capacity of 30 gallons and shall be mounted directly on the right side of the chassis frame and shall be filled and vented entirely outside the body.

Type II - The fuel tank shall have the minimum capacity of 22 gallons and may be mounted on the right or left side along the outside of the chassis frame immediately forward of the rear wheel. It shall be filled and vented entirely outside the body.

45.2 The tank shall conform to section 393.65 and 393.67 of the Motor Carrier Safety Regulations of the U.S. Department of Transportation as most recently revised on October 1, 1972. (Applicable to chassis manufactured on or after January 1, 1975).

45.3 Fuel filter with replaceable element shall be installed between fuel tank and carburetor.

45.4 Fuel tank, fittings or lines, shall not extend above the top of the chassis frame rail. Fuel lines shall be mounted to obtain maximum possible protection from chassis frame.

46. **HEATER CONNECTION:**

46.1 Each heater except those installed on Type II buses by the original chassis manufacturer shall include a shut off valve at the engine on each heater hose.

47. **HORNS:**

47.1 Two suitable horns providing an audible warning at a distance of 300 feet to other highway users shall be conveniently controlled from the driver's seated position. Each bus shall be equipped with a reverse direction alarm (BUA) in compliance with SAE J994b with respect to acoustical performance for a type B device (i.e. 107 db (A) and $\pm$ 4db with a supply voltage of 14 volts). Conformity to the environmental tests stipulated by the new SAE J994b shall not be required.

48. **IGNITION LOCK:**

48.1 A lock, key or other device to prevent the vehicle from being set in motion or its engine started by unauthorized persons, or otherwise, contrary to the will of the owner or person in charge thereof, shall be provided.

49. **INSTRUMENTS:**

49.1 The bus shall be equipped with the following non-glare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated driver:

a. Speedometer
b. Fuel Gauge
c. Oil Pressure Gauge
d. Water Temperature Gauge

e. Ammeter with graduated charge and discharge. (Refer to 59.7)
f. Upper Beam Headlamp Indicator
g. Air Pressure or Vacuum Gauge, where air or vacuum brakes are used with low energy supply warning system
h. Odometer

50. **SHOCK ABSORBERS:**

50.1 Two front and two rear double-acting shock absorbers of sufficient capacity shall be provided.

51. **SPRINGS:**

51.1 Springs shall be capable of supporting their designed share of the vehicle gross weight.

52. **STEERING GEAR:**

52.1 The steering gear shall provide safe and accurate performance at maximum load and speed and shall be easily adjusted. Only changes approved by the chassis manufacturer shall be permitted.

53. **TIRES:**

53.1 The bus shall be equipped with tires of good quality and proper size and ply rating commensurate with chassis manufacturer's gross vehicle weight rating. The tires shall comply with Massachusetts statutes.

54. **UNDERCOATING:**

54.1 Entire underside of body, front fenders, floor members and side panels below floor level shall be coated with a fire-resistant undercoating material, applied by the spray method for the purpose of sealing, insulating and reducing oxidation and the noise level.

55. **WINDSHIELD WIPER AND WASHER CONNECTIONS:**

55.1 There shall be adequate provision for windshield wipers and washer.

ELECTRICAL SYSTEM REQUIREMENTS

56. **BATTERY:**

56.1 The storage battery shall be of sufficient capacity to supply all electrical requirements, and shall be of a rating not less than 70 ampere hours, at 12 volts, measured at a 20 hour rate.

57. **GENERATOR OR ALTERNATOR:**

57.1 **Type I** - The generator or alternator with rectifier shall have a maximum output of at least 62 amperes (in accordance with SAE rating) with a minimum charging of 20 amperes at manufacturer's recommended engine idle speed (12 volt system), and shall be ventilated and voltage controlled and if necessary current controlled and shall be capable of supplying all electrical requirements. Dual belt drive shall be used with generator or alternator.

Type II - Type II Buses shall meet Type I requirements except that maximum output shall be at least 60 amperes and single belt drive is permitted.

58. **LAMPS AND SIGNALS:**

58.1 The installation of all exterior lamps and signals shall be in conformance with current requirements of U.S. DOT MVSS-108, where applicable.

58.2 Two red, seven inch stop lamps mounted on the rear as high as practical but below the window line with centers as far apart laterally as practical but not less than three feet shall be installed. Their light shall be of an intensity at least equal to that of Class A turn signal lamps as established by SAE Standard J586c, as revised from time to time, and shall be plainly visible from a distance of 500 feet. They shall be actuated upon the initial application of the service brake pedal.

58.3 School Bus alternatley flashing signal lamps shall comply with U.S. DOT MVSS-108.

58.4 School bus alternately flashing red signal lamps shall be actuated by an automatic door switch, a momentary contact switch, and a master control switch. Additional devices for controlling the signal lamps shall, (A) alternately flash the lamps at 60 to 120 cycles per minute and (B) warn the driver when any of the signal lamps are inoperative. Maximum brightness shall be attained in each cycle of flashing. Audible or visual indication that the signals are flashing shall be provided.

58.5 Hoods with a minimum thickness of 20 gauge steel or other comparable material shall be securely fastened to the lamp housing. They shall extend at least five inches in front of the lens and from the vertical centerline of the lamps shall measure 80

degrees along the perimeter from each side of the center, with the centerline of the hood coinciding with the top of the vertical centerline of the lamp housing.

58.6 The area around the lens of alternately flashing signal lamps and extending outward approximately 3 inches and the hoods shall be painted black. In installations where there is no flat vertical portion of the body immediately surrounding the entire lens of the lamps, a circular or square band of black approximately 3 inches wide, immediately below and to both sides of the lens, shall be painted on the body or the roof area against which the signal lamps are seen.

58.7 Interior lamps shall adequately illuminate the entire aisle, the emergency passageway and the step-well.

58.8 **Type I** - Class A turn signal lamps which comply with FMVSS-108 shall be provided. These signals shall be equipped with a four-way hazard warning signal switch to cause simultaneous flashing of the turn signal lamps when needed as a vehicular traffic hazard warning. Armored type amber clearance lamps with a minimum of 4 candlepower each shall be mounted on the sides of the body at approximately seat level rub rail height just to the rear of the service door on the right side and approximately opposite the driver's seat on the left side. They are to be connected to function with the regular turn signal lamps.

Type II - Type II buses need not comply with the armored type amber clearance lamp requirement.

59. **WIRING:**

59.1 All wiring shall conform to the current SAE Standard J555a.

59.2 Wiring shall be arranged in at least nine regular circuits as follows:

a. Head, tail, stop and instrument lamps
b. Clearance lamps and step-well lamps
c. Dome lamps
d. Starter motor
e. Ignition and emergency door signal
f. Turn signal lamps
g. Alternately flashing signal lamps
h. Horn
i. Heater and Defroster

Any of the above combination circuits may be subdivided into independent circuits. When possible, all other electrical functions (sanders, electric type windshield wipers) shall be provided with independent and properly protected circuits. Each body circuit shall be coded by number or letter at 4 inch intervals or by color. The code shall appear on a diagram of the circuits in a readily accessible location.

59.3 A separate fuse or circuit breaker shall be provided for each circuit except the starter motor and ignition circuits.

59.4 All wires within the body shall be insulated and protected by covering of fibrous loom (or equivalent) which will protect them from external damage and minimize dangers from short circuits. Whenever wires pass through body or chassis members, additional protection in the form of a grommet or other appropriate type of insert shall be provided.

59.5 Wires not enclosed within the body shall be fastened securely at intervals of not more than 18 inches. All joints shall be soldered or joined by equally effective connectors.

59.6 Two extra fuses for each size of fuse used on the bus shall be conveniently mounted in the bus body.

59.7 The chassis manufacturer shall install a readily accessible electrical terminal so that the body and chassis electrical load can be indicated through a chassis ammeter without dismantling or disassembling the chassis component. The chassis wiring system to terminal shall have a minimum 100 ampere capacity. The chassis ammeter and wiring shall be compatible with generating capacity, and the ammeter shall be capable of indicating a continuous draw of 100 amperes. (Type II need not comply with 100 ampere requirements).

EQUIPMENT REQUIREMENTS

60. **FIRE EXTINGUISHERS:**

60.1 The bus shall be equipped with at least one pressurized, dry chemical type fire extinguisher, mounted in the extinguisher manufactuer's bracket of automotive type and located in the driver's compartment in full view of and

readily accessible to the driver. A pressure gauge shall be so mounted on the extinguisher as to be easily read without removing the extinguisher from its mounted position.

60.2 The fire extinguisher shall be of a type approved by the Underwriter's Laboratories, Inc., with a rating of not less than 10-B.C. The operating mechanism shall be sealed with a type of seal that will not interfere with use of the fire extinguisher.

61. **FIRST AID KIT:**

61.1 The bus shall be equipped with a first-aid kit, removable and readily identifiable, mounted in an easily accessible place in the driver's compartment, the contents of which shall include but not be limited to the following:

a.	4 inch bandage compress	1 package
b.	2 inch bandage compress	1 package
c.	1 inch adhesive compress	2 packages
d.	40 inch triangular bandage with 2 safety pins	1 package
e.	Burn ointment	1 package
f.	Splint	1 package
g.	Tourniquet	1 package
h.	A recognized fluidskin antiseptic, except preparations containing iodine or phenol (carbolic acid).	1 package

62. **WARNING DEVICES FOR DISABLED VEHICLES:**

62.1 At least three red electric lanterns or red emergency reflectors which comply with U.S. DOT MVSS 125 shall be provided.

63. **LOCKED COMPARTMENT:**

63.1 The fire extinguisher, first-aid kit, warning devices, and wheel chocks may be stored under lock and key provided that the locking device is connected with an automatic audible warning signal to notify the driver of the locked compartment when the ignition is turned on, and a device to prevent activation of the starter mechanism of the vehicle engine while said compartment is locked.

64. **WHEEL CHOCKS:**

64.1 All buses shall be equipped with one pair of adequate wheel chocks, in compliance with Chapter 90, Section 13 of the Massachusetts General Laws.

XI. SCHOOL BUS SAFE RIDING PRACTICES

In accordance with Chapter 90 Section 7B (15) of the General Laws of Massachusetts, during each school year, each pupil transported in a school bus shall receive classroom instruction in safe riding practices at least three times during the school year (first week of school, September-January, and January-June), and participate at least twice in on-bus emergency evacuation drills.

The following suggested guidelines have been prepared to aid school administrators in carrying out the provisions of the law:

A. The Bus Stop

1. Going to the Bus Stop

   a. Schedule arrival time: Know when the bus is due at the stop, and plan your walk to be there not more than 5 minutes ahead of the bus's arrival time.

   b. Walking to the stop:

      (1) Walk on the sidewalk
      (2) If no sidewalk is available, walk on the shoulder of the road facing traffic
      (3) If no sidewalk is available and there are several children walking together, they should walk single file
      (4) Do not play in the street
      (5) Don't trespass or unnecessarily "cut through" someone's yard
      (6) If you must cross the road, make sure that you look both ways. If possible, make sure no vehicles are approaching from either direction. (If it is a busy road, wait opposite your stop until the bus arrives and has come to a stop with its signal lights flashing. When all vehicles approaching from either direction have come to a stop, cross the street to load).

2. Waiting for the Bus

   a. Arrival time at the stop should not be more than 5 minutes before arrival time of the bus. (Arrival time of the bus is generally not fixed during the first week or two of school, but after that a "pattern" undoubtedly arises).

   b. Bus stops are not play stops; there should be no pushing, chasing or shoving.

   c. Stand on the sidewalk or beside the road, not on the roadway.

   d. As the bus approaches, line up but do not approach the bus until it has stopped and the driver has opened the

door. Special caution must be taken during the winter months when ice, snow, and snow banks limit the area of the bus stop and present a special hazard.

e. If your stop is on or next to private property, have respect for the grounds, and do not cause undue noise.

f. "Explain the reasons for the use of the flashing lights on the school bus . . . **WHY, WHEN** and **WHERE.** They are for **YOUR** protection and safety . . . **BUT** . . . Do Not be lulled into a sense of false security just because the lights are flashing. Even though it is the law that people must **STOP**, there are some people who do not stop; so Be Cautious and Careful, especially when you cross the street when the lights are flashing." (Larsen, 1975)

B. **Boarding the Bus**

1. Watch your step, and use the handrail (Be extra careful if you are carrying books or instruments). Be courteous; do not push.

2. Get on quickly and be seated at once.

3. If no seats are available, go to the rear of the bus, remain standing, and grasp the hand grip before the bus moves.

4. Obey any instruction the driver may give you. These same rules should be used when boarding the bus to return home.

C. **Riding the Bus**

1. Remain seated; do not change seats while the bus is in motion.

2. Books and other property should be stowed on your lap. Musical instruments do not belong in the stepwell or in the aisles.

3. Save your snacks for later.

4. Throwing anything on the bus or out the windows is not allowed.

5. Arms, hands, and heads do not belong out the window.

6. Excessive noise and shouting could distract the driver and lead to an accident.

7. If you have very large packages or animals to bring to school, ask your parents to transport you on that day.

8. Obey any direction of the driver quickly and courteously.

D. **Disembarking**

1. At school

   a. Stay seated until the bus has stopped and the driver has opened the door.

   b. Allow those seated in front of you to leave first.

   c. Take all your things with you.

   d. Leave quickly, but do not push or shove.

   e. Watch your step; use the handrail.

   f. Obey all the driver's directions quickly and courteously.

   g. After getting off the bus, leave the unloading area immediately; catch up with your friends elsewhere.

2. At Home

   a. Stay seated until the bus has stopped and the driver has opened the door. If your regular driver is aboard, he/she knows your bus stop; he/she won't pass your stop. If you have a substitute, he/she will probably have checked the route ahead of time or will ask "Where's the next stop?"

   b. If you must cross the street, do so at least 10 feet in front of the bus.

   c. Look both ways: Even though it is the law that people must stop when they see the flashing lights, some people do not stop - so be extra cautious.

   d. Leave the bus stop immediately and go directly home.

E. **Extra Curricular Activities and Field Trips**

1. Extra-curricular activities and field trips - Because there are children who will be riding a bus on a field trip or to and from their educational activity, all children should go through a loading, unloading procedure and evacuation drills that the regular ridership encounters.

2. Because children are naturally more excited about a field trip or other activity and because non-riders may be on board, emphasis should be placed on the riding procedures when discussing field trips.

F. **Evacuation Drills and Emergency Procedures**

1. Usually, students remain on the bus during an emergency

2. There are situations which require evacuation

   a. Fire or imminent danger of fire

   b. Unsafe position due to an accident, mechanical failure or human failure

      (1) In the path of a train or on railroad tracks

      (2) Near a body of water where the bus might roll or near a precipice

      (3) Where failure of the vehicle or driver puts the bus in a dangerous visibility position

3. There are several ways to evacuate a bus

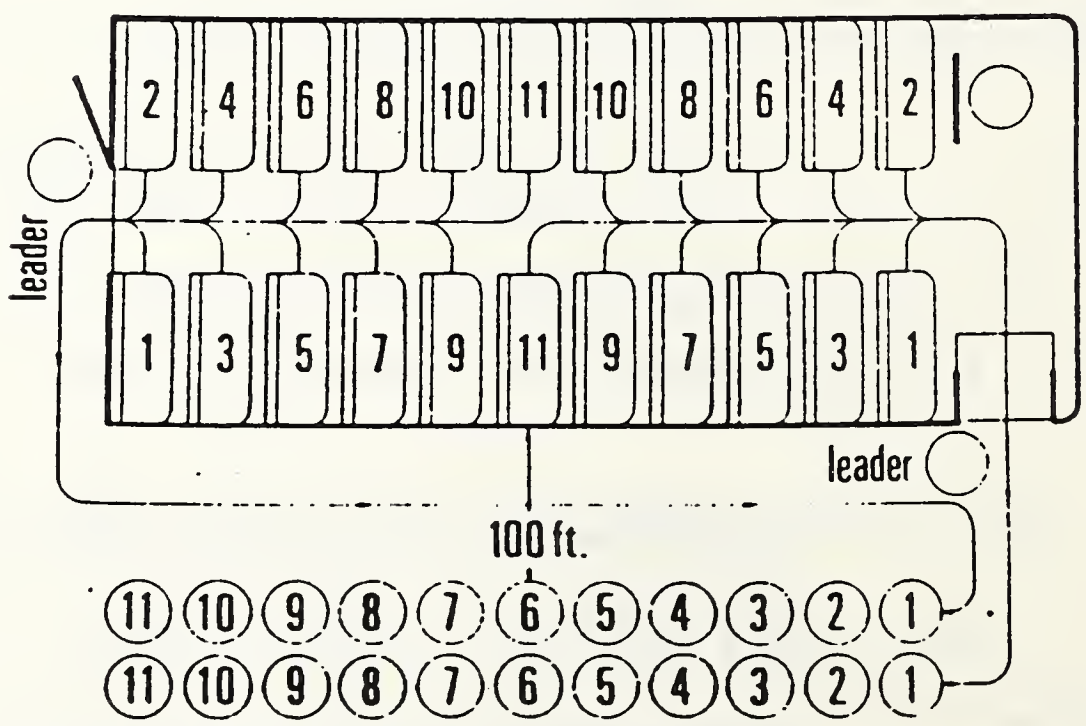
   a. Everyone exits through the rear emergency door

   b. Everyone exits through the front entrance door

   c. The front half of the bus goes forward; the rear half exits through the rear door (See Diagram)

65-66 PASSENGER BUS

(3 pupils to a seat)



65-66 passenger bus—11 rows of seats on each side
59-60 passenger bus—10 rows of seats on each side
53-54 passenger bus—9 rows of seats on each side
47-48 passenger bus—8 rows of seats on each side

-105-

d. The use of kick-out windshields and pop-out windows (if available) should be shown in case all doors are blocked. Drivers should know how to work them. The procedure should at least be demonstrated to students during Evacuation Drill.

e. It should be clearly understood that the manner of evacuation depends on the situation

4. Suggested Front Door Evacuation Drill Conducted on School Grounds (if it occurs as the drivers bring the pupils into school)

In the interest of safety, all drivers should conduct an emergency evacuation drill through the front door when they unload at the schools. With the approval and assistance of the school administration, the driver should proceed as follows:

a. Stop the bus, set parking brake, and turn off engine (remove key)

b. Stand, open the door, face the children, and get their attention

c. Give the command: "Emergency drill, remain seated, front evacuation."

d. Advise bus captain or designated student to guide passengers to assigned place of safety.

(1) A helper or a bus captain can be appointed each time to assist the driver in leading the students to a designated location on the grounds

(2) A second helper can be appointed to stand outside the front door to count and assist passengers as they leave the bus

e. Standing between the first occupied seats, the driver then turns and faces the front of the bus

(1) Starting with the right-hand seat, tap the shoulder of the student nearest the aisle to indicate that those occupants shall move out. Say, "Walk-Don't Run; Use Hand Rails."

(2) The driver should hold his or her hand before the occupants of the left-hand seat in a restraining gesture

f. When the pupils in the right-hand seat have moved forward far enough to clear the aisle, dismiss the occupants of the left-hand seats

g. Continue evacuation procedure as described, right and left seats alternately, until the bus is empty

h. When the last seat is empty, the driver should walk to the front of the bus, checking to see that everyone is out

i. After the driver leaves the bus, go to students and advise them of improvements to be made or tell them of the job well done, then immediately dismiss them for class. If there are students who are to continue on to another school, reload them and continue run.

5. Rear Emergency Door Evacuation or Side-Door Evacuation

   a. Rear emergency door evacuation or side-door evacuation works in reverse of the one just explained. Explain how the doors work and instruct students not to open them until you give the command to do so.

   b. This evacuation drill should take place only under controlled conditions with members of the school administration actively involved, especially in guarding against accidents in "jumping down" from the bus.

   c. The combination front and rear door evacuation warrants the same care and safeguards of a controlled situation.

   d. The use of "kick-out" windows should be demonstrated, but having the children actively practicing exits in that manner is not suggested.

6. Important Factors in Evacuation Drills

   a. Discuss which things would be different from an evacuation drill in an actual emergency. What would the driver/children have to do differently if the bus were tipped on its side? How will evacuation be different if children panic and refuse to move?

   b. Safety of children is of the utmost importance and must be considered first.

   c. All drills should be supervised by the principal or by persons assigned by him to act in a supervisory capacity.

   d. In an emergency the driver might be incapacitated so that he/she would not be able to direct the pupil emergency evacuation. School personnel or adult monitors should assist in these drills. It is important to have regular students available who know how to do the following:

      (1) Turn off ignition switch
      (2) Set emergency brake

(3) Summon help when and where needed
(4) Use fire axe or kick-out windows
(5) Set flags and flares
(6) Open and close doors, account for all pupils
(7) Help small children off bus

e. "Emergency drills" for school buses should be organized in a manner similar to fire drills held regularly in schools. School bus drills should be held more often during fall and spring months, preferably when bus arrives at the school building with the pupils.

f. Drills should be held on school property.

g. Types of bus drills held should be varied.

h. Drivers should stay in bus during evacuation drills. Be sure that the emergency brake is set, ignition off, keys removed, and transmission in gear.

i. Do not permit children to take lunch boxes, books, etc., with them when they leave the bus - getting the child off safely in the shortest time possible and in an orderly fashion is the objective of a school bus evacuation drill.

j. The pupils should go to a distance of at least 100 feet from the bus in an "emergency drill" and remain there in a group until given further directions by the leader.

k. All children should be given an opportunity to participate, including those children who only ride a bus on special trips.

l. Each pupil should be instructed in the proper safety precautions while riding the bus and in drill procedure.

m. Instruct students in how and where to get help.

n. Variations should depend on local policy.

o. Finally, all these activities should be carried out in the vehicle. In conjunction with the program, instead of handing out a list of do's and don'ts on ridership and evacuation drills, slide presentations can be easily put together within your own school system with the aid of some personnel member who is a photographer. It can be shown before the evacuation drill. In addition to being an inexpensive method of instruction, there is something about seeing your friend and yourself in a "commercial" film that makes children more attentive to the presentation.

WHEN *LEAVING* YOUR BUS:

Here's How to Cross the Road SAFELY

WALK—along the side of the road until you can see your driver

STOP—wait for the signal to cross

WALK & LOOK—for traffic both ways

—if you see a vehicle that has not stopped, go back to the bus immediately

—if all vehicles have stopped, cross the road quickly



Crossing the Highway is DANGEROUS

REMEMBER
- WALK
- STOP
- WALK & LOOK

Drivers SHOULD stop...But THEY MAY NOT!

Massachusetts Department of Education
Division of School Facilities and Related Services
Bureau of School Management Services
Dr. Leo Turo, Director

WHEN BOARDING YOUR BUS:

Here's How to Cross the Road SAFELY

FOLLOW THE 10 FOOT RULE:

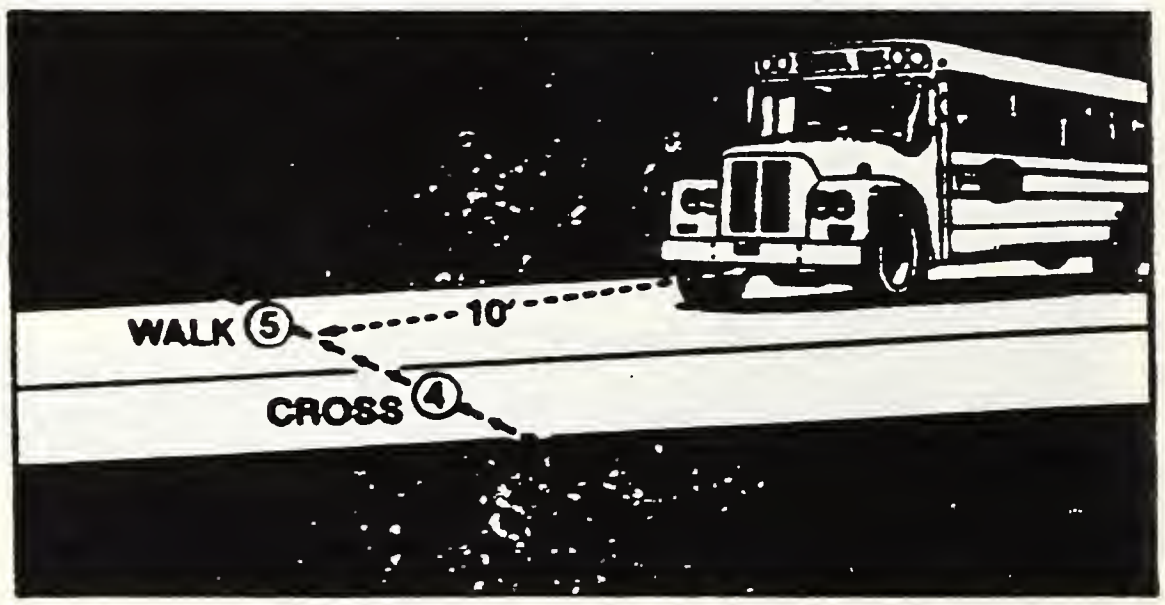
STAY—on your side of the road—far away from the traffic

WAIT—for the bus to stop and for your driver's signal to cross

CHECK—traffic both ways—then check again

CROSS—walk directly across checking traffic both ways

WALK—approximately 10 feet ahead of the bumper and board bus quickly



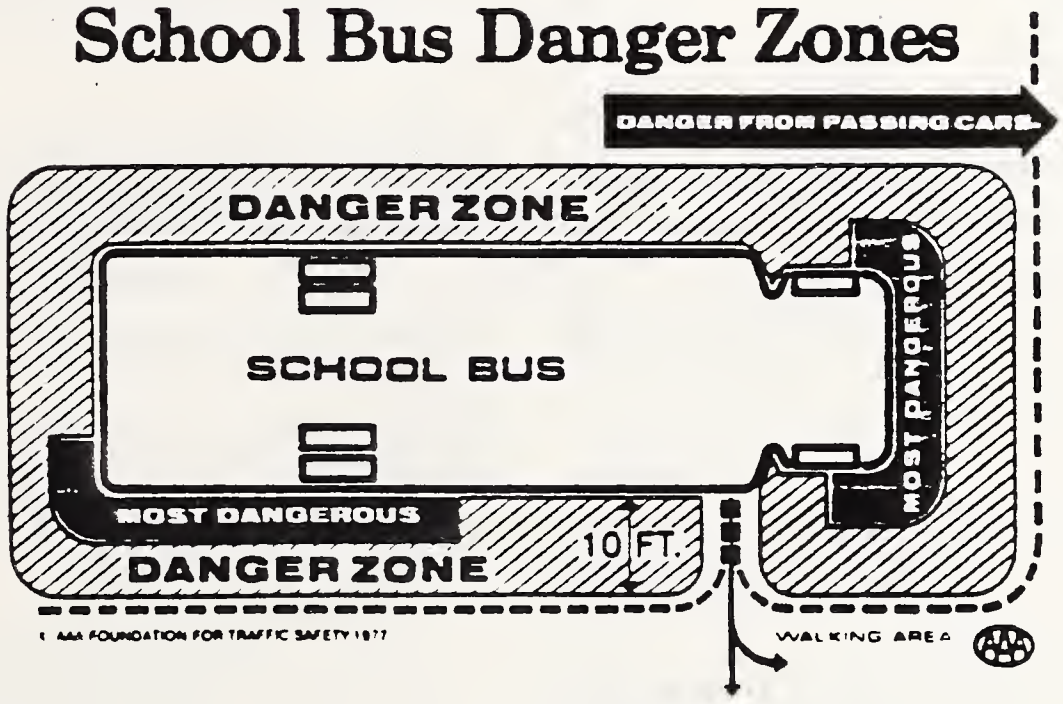
REMEMBER

- Stay on your side of the road until your driver signals you to cross
- Check and recheck for traffic
- Follow the 10 foot rule
- Board bus quickly—go directly to your seat

Drivers SHOULD stop...But THEY MAY NOT!

Massachusetts Department of Education
Division of School Facilities and Related Services
Bureau of School Management Services
Dr. Leo Turo, Director

School Bus Danger Zones



SCHOOL BUS RIDER'S GUIDE

Time for School

Don't miss the bus. Give yourself plenty of time to reach the bus stop. Leave your home about five minutes early. Walk, don't run.

Walk Safely. Stay on the sidewalks or, if there are none, walk on the left side of the road facing oncoming traffic. Cross streets only at intersections or crosswalks.

Waiting

No horseplay. Running around and playing is okay for the playground, but not the bus stop. Stay out of the street while you wait for the bus. Traffic often is heavy in the morning, and you could be hit by a car or cause an accident if a car is forced to stop quickly for you.

Respect property. Don't run across people's yards, climb their trees, or go into their garages. Stay at the bus stop.

Sshh! People in the neighborhood may still be sleeping when you leave for school, so try to keep down the noise. (*You* don't like to be disturbed when you are tired, so be considerate. Let others sleep.)



The Ride

Be quiet. The driver needs your help and he may have trouble concentrating if there is too much commotion in the bus. Stay in your seat.

Keep the aisles clear. Nothing . . . books, bags, legs, arms or bodies . . . should block the aisle. Do not stand in the aisle. If the driver is forced to make a quick stop, you could be thrown around and hurt yourself and others.

Everything inside. If the driver lets you open the windows, keep your hands, arms and head inside. Don't throw things out of the windows.

No pets allowed. Animals, including pets on leashes, in boxes or in cages are not allowed on the bus.

Share your seat. Don't save a spot for a friend, but keep the seat open for anyone who wants to sit down. (You'll have plenty of time to talk to your friends once you get to school.)



Getting Off

Be organized. Be ready to leave when you reach your stop. Don't keep the driver and the other bus riders waiting while you gather up your books and other belongings.

Stay put. Wait until the bus has stopped completely before you get up from your seat. And always let the people in the front of the bus get off first.

Don't push. You'll get out faster if no one shoves or pushes. Also, chances are better no one will trip and fall, causing delays.

Leave immediately. After you get off the bus, leave the area quickly so that you are out of the way of other buses bringing more children to school.

Stay clear. Keep away from the side of the bus. If you must cross the street, cross in front of the bus. But, wait for an "all clear" signal from the driver before you leave the curb. Look both ways before crossing.

It's Up To You

If an emergency situation arises, you can help by staying calm. Listen to the driver and follow instructions. Help the driver by getting the smaller children off safely.



Minnesota Department of Public Safety



If your bus driver lets you open the windows, **do not throw anything out. Keep your head and arms inside.** Anything close to the road could easily hurt someone who is leaning out of the bus



The bus driver knows the safety rules and is there to help you. **Always obey the bus driver.**

GETTING OFF THE BUS

Don't push or shove while getting off. When you stop at school, let your classmates in the front of the bus get off first.

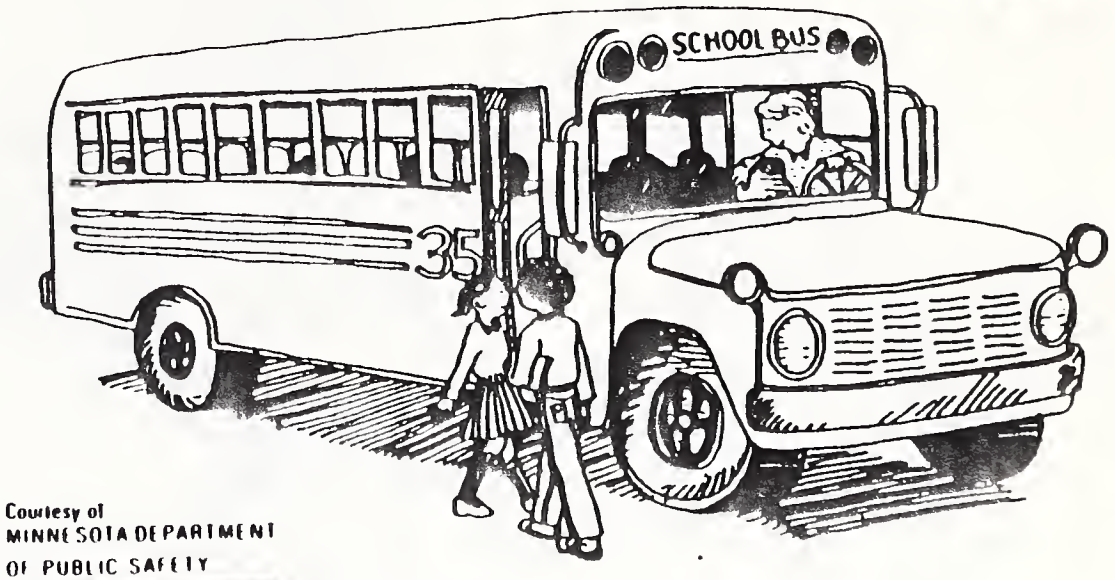


A driver cannot see near the back tires on either side of the bus, right in front of the bus or close to the sides. **Move away from the bus where the driver can see you.**



If you must cross the street when you get off the bus, **cross in front of the bus. But wait for an "all clear" signal from the driver before you leave the curb.** Look both ways before crossing

THE BUS IS FOR US!



Courtesy of
MINNESOTA DEPARTMENT
OF PUBLIC SAFETY

Massachusetts Department of Education
Bureau of School Facilities and Related Services
Bureau of School Management Services
Dr. Leo Turo, Director

SAFETY TIPS FOR GRADES K-3.

GETTING READY TO RIDE THE BUS

It can be fun taking the bus to school every day. And, all boys and girls can **make every ride a safe and happy one by knowing the safety rules.**

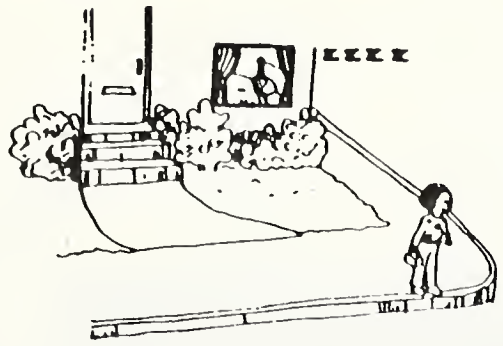


Be on time for the bus. Leave home early. Walk quickly. You can wait for the bus...the bus can't wait for you!



On your way, **cross the street only at the corner.** If there aren't any sidewalks, **walk on the left facing cars.** Never run into the street or road. Always look left and right and left again to **make sure no cars are coming when you cross.**

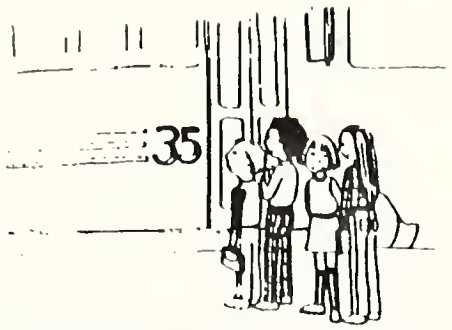
WAITING FOR THE BUS



When you are waiting for the bus **stay off lawns.** Don't go into garages or climb trees. Don't litter. **Be quiet at the bus stop.** Many people may still be asleep when you are leaving for school.



Stay out of the street. Always wait for the bus in a safe place, away from the curb. Be sure that there is space between you and the passing cars. **Don't play tag or run around,** but stand quietly at the stop and wait for the bus to come.



Line up single file in front of the bus door. **Don't push or shove.** Wait your turn.

GETTING ON THE BUS



Always use the handrail. This could save you from falling off the steps and into the street. Make sure you watch where you are stepping.

RIDING ON THE BUS



Once you are on the bus, sit down right away. If you are standing in the aisle when the bus starts, you could lose your balance and fall, hurting yourself and others.



Share your seat. Never save a seat for a friend. Let anyone sit down next to you.



When you are traveling on the bus, **be quiet. Noisy children may distract the bus driver.** You may talk quietly with the people near you, but do not yell.

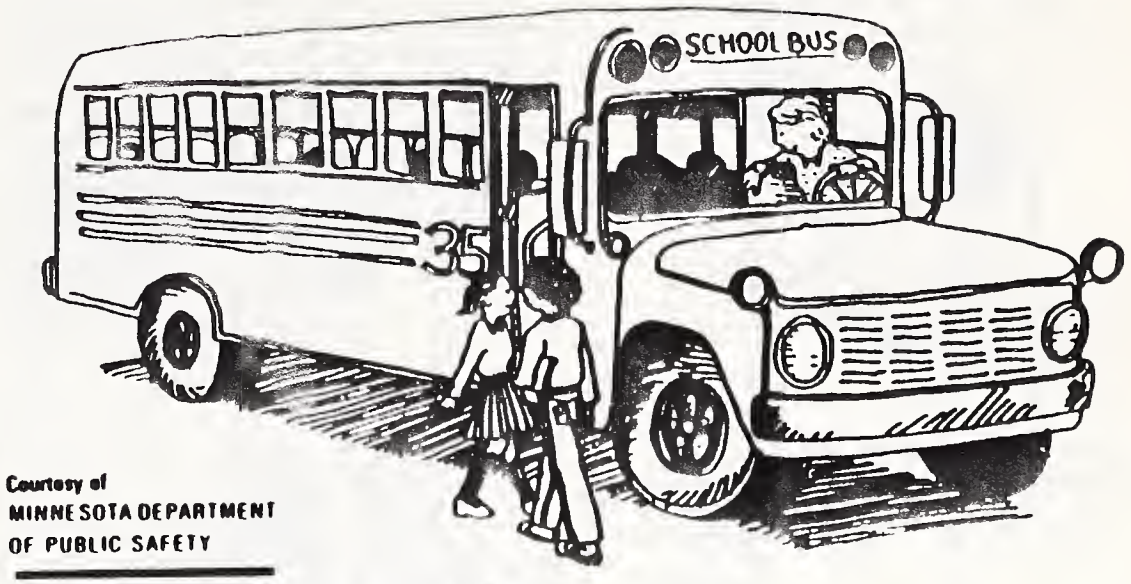


IT'S UP TO YOU

If an emergency situation arises, you can help by staying calm. Listen to the driver and follow instructions. Help the driver by getting the smaller children off safely.

Remember ... because you're older ... the little ones are watching you. Set a good example, and help to take charge of the smaller children. You are one who can teach them how to be good bus riders.

SCHOOL BUS RIDER'S GUIDE



GETTING OFF

*__Be organized.__ Be ready to leave when you reach your stop. Don't keep the driver and the other bus riders waiting while you gather up your books and other belongings.

*__Stay put.__ Wait until the bus has stopped completely before you get up from your seat. And always let the people in the front of the bus get off first.

*__Don't push.__ You'll get out faster if no one shoves or pushes. Also, chances are better no one will trip and fall, causing delays.

*__Leave immediately.__ After you get off the bus, leave the area quickly so that you are out of the way of other buses bringing more children to school.

*__Stay clear.__ Keep away from the side of the bus. If you must cross the street, cross in front of the bus. But, wait for an "all clear" signal from the driver before you leave the curb. Look both ways before crossing.



Courtesy of
MINNESOTA DEPARTMENT
OF PUBLIC SAFETY

Massachusetts Department of Education
Bureau of School Facilities and Related Services
Bureau of School Management Services
Dr. Leo Turo, Director

SAFETY TIPS FOR GRADES
4-6

You're an experienced school bus rider, and you've heard all about how to behave when you ride. But, did you ever think that you might be able to help the younger children who don't know how to act on the bus?

As a veteran bus rider, you can set a good example for the little ones by obeying the driver and paying attention to tips on safety.

Do YOU remember those safety rules?

TIME FOR SCHOOL

***Don't miss the bus.** Give yourself plenty of time to reach the bus stop. Leave your home about five minutes early. Walk, don't run.

***Walk safely.** Stay on the sidewalks or, if there are none, walk on the left side of the road facing oncoming traffic. Cross streets only at intersections or crosswalks.





WAITING

***No horseplay.** Running around and playing is okay for the playground, but not the bus stop. Stay out of the street while you wait for the bus. Traffic often is heavy in the morning, and you could be hit by a car or cause an accident if a car is forced to stop quickly for you.

***Respect property.** Don't run across people's yards, climb their trees, or go into their garages. Stay at the bus stop.

***Sshh!** People in the neighborhood may still be sleeping when you leave for school, so try to keep down the noise. (You don't like to be disturbed when you are tired, so be considerate. Let others sleep.)



BOARDING THE BUS

***Form a line.** Don't push or shove; you'll get on the bus eventually. If you have to cross the street while the bus is stopped, cross carefully. (Even though motorists are supposed to stop for a school bus, they often don't, and you could be hurt.)

***Move along.** Step quickly and use the handrail when you are entering or leaving the bus. Watch your step.

THE RIDE

***Be quiet.** The driver needs your help and he may have trouble concentrating if there is too much commotion in the bus. Stay in your seat.

***Keep the aisles clear.** Nothing . . . books, bags, legs, arms or bodies . . . should block the aisle. Do not stand in the aisle. If the driver is forced to make a quick stop, you could be thrown around and hurt yourself and others.

***Everything inside.** If the driver lets you open the windows, keep your hands, arms and head inside. Don't throw things out of the windows.

***No pets allowed.** Animals, including pets on leashes, in boxes or in cages are not allowed on the bus.

***Share your seat.** Don't save a spot for a friend, but keep the seat open for anyone who wants to sit down. (You'll have plenty of time to talk to your friends once you get to school.)



XII. APPENDIX

A. Massachusetts Department of Education

Selected legal rulings, policies and miscellaneous information as they relate to pupil transportation services.

1. Methods of Computing Pupil Transportation Costs

As pupil transportation benefits are extended to many educational programs, the contractual expenditures for pupil transportation are extended in the same manner.

Most cities and towns contract their pupil transportation services into a total contract, therefore generating a total contractual expenditure requiring a method for pro-rating cost to be analyzed and used by computing reimbursable cost. The same would apply to municipally operated school bus services.

An example of a total school bus finance design: A city or town expended $100,000.00 to provide transportation services. In analyzing the transportation expenditures, it was ascertained that $80,000.00 was for transporting pupils to and from school as provided for by school committee policy. Vocational pupils transported to another city or town cost $5,000.00 -- services for transporting special class pupils was $9,000.00; transportation cost for state wards was $1,000.00; and the transportation for athletic and other student body activities required an expenditure of $5,000.00.

For purposes of explaining the following methods of pro-rating costs of transportation, other statistical facts are necessary: A total of 2,000 pupils were transported to and from schools of attendance: 1,500 were public school pupils and 500 pupils were transported to and from non-public schools. The policy of the school committee was to transport 400 pupils under one and one-half miles to and from public schools.

There are three basic methods of computing reimbursable costs for purposes of claiming aid for pupil transportation.

a. **Pupil Percentage Method** as applied to payments to contractual carriers and expenditures incurred by cities, towns, and regional school districts for maintaining municipally operated school bus systems, provided pertinent statutes are fulfilled.

   The full payments for school transportation will be allowed by the Department of Education if all pupils reside and are transported not less than one and one half miles, once daily, to and from schools of attendance.

Should a certain percentage of those pupils transported live less than one and one half miles from schools of attendance, the Department of Education will allow only that percentage of the cost in ratio to the total number of pupils transported to those pupils eligible to be included in a claim.

EXAMPLE: (Based on the facts stated above)

Pupils Transported:	Public	1,500
	Non-Public	500
	Total	2,000
Pupils Transported less than one and one-half miles		400
Reimbursable Pupils		1,600

Pupil Percentage:

$\frac{1600}{2000}$ = 4/5 or 80% = $64,000 - Reimbursable Cost

b. **Per Pupil Cost Method** as applied to payments to contractual carriers and expenditures incurred by a city, town, and regional school districts maintained municipally and regionally operated school bus systems, provided pertinent statutes are fulfilled.

To apply the per pupil cost method, divide the total expenditure for transporting pupils to and from school by the total number of pupils transported to arrive at the per pupil cost of transporting pupils. To ascertain any categorical aid, multiply the number of eligible pupils by the computed per pupil rate; the result is the reimbursable cost subject to statutory limitations.

EXAMPLE: (Based on the facts stated above)

Pupils Transported:	Public	1,500
	Non-Public	500
	Total	2,000
Pupils Transported less than one and one-half miles		400
Reimbursable Pupils		1,600

Computation of Reimbursable Cost:

$\frac{\$80,000}{2,000}$ = $40.00 per pupil rate x 1,600 = $64,000 - Reimbursable Cost

c. **Mileage Method** as applied to payments to contractual carriers and expenditures incurred by a city, town, and regional school district maintaining municipally and regionally operated school bus systems, provided pertinent statutes are fulfilled.

To compute the mileage method, obtain the mileage for each pupil transported one way to and from schools of attendance. Multiply the mileage transported at each point established by the number of pupils transported that particular distance. Multiply total one way pupil mileage by 2 to ascertain the total number of miles. Divide the total mileage into the cost of transporting pupils to arrive at the average cost per pupil miles. To ascertain the reimbursable expenditures per pupil miles, simply deduct cost per pupil miles for less than one and one-half miles.

EXAMPLE: (Based on the above facts)

Pupils Transported:	Public	1,500
	Non-Public	500
	Total	2,000
Pupils Transported less than one and one-half miles		400
Reimbursable Pupils		1,600

Assume the furthest point a student is transported one way to school of attendance is 10 miles.

Miles	x	Pupils	=	Pupil Miles
10		200		2,000
9		100		900
8		300		2,400
7		50		350
6		400		2,400
5		150		750
4		100		400
3		200		600
1.5		100		150
Less than 1.5		400		600
Totals		2000		10,550
				x 2
Total mileage to and from school				21,100
LESS mileage less than one and one half miles to and from school (600 x 2)				1,200
Reimbursable Pupil Mileage				19,900

COMPUTATION OF AVERAGE COST PER MILE PER PUPIL

$$
\begin{array}{r}
\$\ \ 3.79 \\
21{,}100\ )\ \$80{,}000.00
\end{array}
$$

COMPUTATION OF REIMBURSABLE COST

$3.79 X 19,900 = $75,421 Reimbursable Cost

Three methods for computing pupil transportation cost have been suggested. There may be other methods which a city, town, or regional school district may pursue which are acceptable to the Department of Education for the purpose of computing aid to transportation. A definite plan or method as to the determination of cost and the number of pupils transported to and from schools of attendance must be established. All plans and methods for determination of such data shall be available for audit by the Department of Education.

Please note, that in all examples used, categorically aided transportation expenditures were not used because of the specific area of aid.

For example: The $5,000 expended for the transportation of special needs pupils would be reimbursable according to the provisions of Chapter 71B of the General Laws of Massachusetts.

Expenditure for athletic aid and other student body activities is not part of reimbursable expenditures.

2. The following is a section of Chapter 18 of the **Regulations for State Aid: Standard Accounting Reporting, and Documentation Regulations - Commonwealth of Massachustts, Department of Education:**

18.01 Reporting Requirements

(1) Expenditures for transportation and numbers of riders who are public and non-public school students, living at least 1-1/2 miles from school, transported once daily to and from school of attendance, and are enrolled in a regular day program, an approved vocational program within the local school district, a special education program where the student's individualized educational plan does not require special transportation services, or a transitional bilingual education program shall be reported in accordance with G.L. c.71, s.7A, 7B, and 16C; c.71A, s.8.

(2) Expenditures for transportation and numbers of riders who are public school students enrolled in a regular day, approved vocational program, special education program, or transitional bilingual program and who are transported within a local school district in order to reduce or eliminate racial imbalance and racial isolation shall be reported in accordance with G.L. c.15, s.1I and c.71, s.37D.

(3) Expenditures for transportation and numbers of riders shall be reported under special education only when a modified transportation service not normally provided for regular day students is specified in the student's individualized educational plan, in accordance with G.L. c.71B, s.14, and Chapter 9 of the Chapter 766 Regulations.

(4) Expenditures for transportation and numbers of riders shall be reported under special education for persons transported to approved Department of Mental Health facilities, in accordance with G.L. c.19, s.27, s.28.

(5) Expenditures for transportation and numbers of riders shall be reported under special education for participants in an approved special education recreation program including residents of state institutions in accordance with G.L. c.71B, s.11.

(6) Expenditures for transportation incurred as a result of transporting a student with a temporary disability (e.g., broken leg, post-operative recovery) are not eligible to be reported for reimbursement under special education.

(7) Expenditures for transportation and numbers of riders who are students residing in a school district and transported to an approved vocational school in another school district shall be reported by the school district of residence, in accordance with G.L. c.74, s.8A.

(8) Expenditures for transportation and numbers of riders who are students enrolled in the agricultural schools maintained by the counties of Bristol, Essex, and Norfolk shall be reported, in accordance with G.L. c.74, s.31A.

(9) Expenditures for transportation and numbers of riders in federally funded educational programs shall be reported as federally funded transportation expenditures.

18.02 **Computation of Reimbursable Transportation Expenditures**

(1) Each local school district shall report the annual expenditure for contracted school transportation services as the annual contract cost.

(2) In determining the cost of leased bus-operated student transportation programs, each local school district shall calculate the annual cost of leased bus services based on the cost of fuel, operation and common line maintenance of school buses; salaries of student transportation supervisors, school bus drivers and bus monitors, employee benefits, insurance programs, other related leased bus expenditures, and the annual cost of leasing to the extent said costs are not included above.

(3) In determining the cost of municipally owned and regionally owned student transportation programs, each local school district shall calculate the annual cost of said programs based on the cost of fuel, operation and maintenance expenditures, salaries of student transportation supervisors, school bus drivers and bus monitors, employee benefits, insurance programs, other related student transportation expenditures, and the annual amortization of cost of municipally owned and regionally owned school buses.

(4) Transportation expenditures and numbers of riders transported to and from schools of attendance shall be reported separately for those students transported one and one-half miles or more and those students transported less than one and one-half miles.

(5) Transportation expenditures for riders transported in school day excursions, co-curricular activities, and activities such as athletic programs, student body activities and field trips are to be reported separately. Records documenting the number of riders for all areas in this section must be maintained when the expenditures are calculated on a school bus operator contract based on transportation charges per rider.

(6) Except for shuttle transportation expenditures incurred in accordance with section 18.01 (3), above, expenditures incurred for shuttle services to and from educational programs are considered an extension of instructional programs and shall not be reported as transportation expenditures.

18.03 **Amortization of Motor Vehicles (7500) (7600)**

Motor vehicles used to transport students during the school year are subject to a five-year amortization schedule. Only the current year's amount of amortization shall be reported.

(1) Type I School Buses, holding seventeen or more passengers, Type II School Buses, holding sixteen or fewer passengers, vans, and station wagons shall be amortized over five years at twenty percent per year.

(2) The following method shall be used to determine the adjusted basis of newly acquired motor vehicles purchased as the result of the trade-in or sale of a previously amortized motor vehicle:

Cost of Fixed Asset to be Traded - Amortization Allowed = Book Value.

Book Value + Cost of New Fixed Asset

= Adjusted Basis of New Fixed Asset Subject to Current Amortization

18.04 **Documentation of Reported Expenditures for Student Transportation**

Each local school district shall maintain the following items in support of reported transportation data:

(1) Written school committee policy as to school transportation;

(2) Invitations to bid, bids and contracts which include schedules, routing, safety, efficiency, and financial data;

(3) Records listing names and numbers of students transported;

(4) Claims for reimbursement and financial reports filed with the Department of Education;

(5) Expenditure documents, e.g., ledgers, warrants, bill schedules, invoices, purchase orders, payroll schedules and revenue ledgers;

(6) Other municipal records, e.g., municipal accountant and treasurer records;

(7) Categorical claims for reimbursement; e.g., special education and vocational education; and

(8) Transportation routes and numbers of pupils assigned to buses.

STATUTORY REQUIREMENTS C76 S1
- Public School Assistance
- Non-Public School Transportation
- Hazardous Conditions and Safety

RIDERSHIP C71 S68
- Distance from Schools of Attendance
- Location of School Bus Stops

ADMINISTRATIVE POLICIES C71 S37B
- Authorized Riders
- Walking Distance
- Student Discipline
- Driver Responsibilities
- Define Hazardous Conditions and Safety

CONTRACTS C40 S4
- Legal Requirements
- Bidding Proceedings
- Insurance (Minimum Limits)

RULES OF THE ROAD AND EQUIPMENT
- C90 S1 School Bus Defined
- C90 S1A School Bus Registration
- C90 S7A Inspection of School Bus
- C90 S7B Minimum Standards for Construction and Equipment of School Bus
- C90 S7BB Seat Belts
- C90 S7D Designation of Motor Vehicles Used for Transportation of School Children
- C90 S7D 1/2 Transportation Vocational School Students
- C90 S7L No Standee Law (Permissive)
- C90 S8A Licensing of School Bus Operators
- C90 S14 Precautions for Safety
- C90 S15 Railroad Crossings
- C90 S17 Speed Limits
- C90 S20 Excess of Authorized Number of Passengers

PUBLIC UTILITY REGULATIONS
- C159A S11A Special Service License for Charter & School Activities Buses
- C161 S18 Street Railway-Student Rates-Half Fare

EDUCATIONAL PROGRAMS

REGULAR DAY

SPECIAL NEEDS

OCCUPATIONAL EDUCATION

TRANSITIONAL BILINGUAL EDUCATION

RACIAL IMBALANCE

OTHER
- Athletic Programs
- Shuttle Trips
- To and From Educational Programs
- Field Trips
- Other Student Body Activities

SPECIAL NEEDS RECREATION PROGRAMS

SERVICES PROVIDED FOR PUPIL TRANSPORTATION SERVICES

CONTRACT SERVICES

PUBLIC UTILITY CARRIERS

PARENT ARRANGED TRANSPORTATION

MANAGEMENT CONTRACTS FOR MUNICIPALLY AND REGIONALLY OWNED VEHICLES

LEASED TRANSPORTATION VEHICLES

MUNICIPAL AND REGIONALLY OPERATED VEHICLES

COST CONTENT
FUNCTIONAL CODE - TRANSPORTATION

3300 To and From School-Public
6900 To and From School-Private
- Regular Day
- Special Needs
- Transitional Bilingual Education
- Occupational Education

2300 Instructional Services
- Shuttle Trips
- To and From Educational Programs
- Field Trips

3510 Athletic Transportation
3520 Other Student Body Activity Transportation
7500 Acquisition of Motor Vehicles
7600 Replacement of Motor Vehicles

STATE AID PROGRAMS

REGULAR DAY
- **CITIES AND TOWNS**
  - Chapter 71 Section 7A
  - Chapter 71 Section 7B
- **REGIONAL SCHOOL DISTRICTS**
  - Chapter 71 Section 16C

SPECIAL NEEDS
- Chapter 71B Section 13
- Chapter 9 of Chapter 766 Regulations

OCCUPATIONAL EDUCATION
- Chapter 74 Section 8A

TRANSITIONAL BILINGUAL EDUCATION
- Chapter 71A Section 8

RACIAL IMBALANCE
- Chapter 15 Section 11
- Chapter 71 Section 37D

SPECIAL NEEDS RECREATION PROGRAMS
- Chapter 71B Section 11

OTHER
Computed as Reimbursable Cost Under Provisions 6 Chapter 70

PUPIL TRANSPORTATION FLOW CHART

3. **Policy Development**: The following questions have been designed to aid you in identifying the areas in which your transportation policy might be strengthened. As you read each question, please indicate whether you agree or disagree.

	AGREE	DISAGREE
a. The school committee has adopted specific written policies and rules regarding the pupil transportation program.	_____	_____
b. The school committee has adopted written policies concerning the responsibility of the school administrator regarding the transportation program (or process).	_____	_____
c. The school committee has adopted a specific and detailed policy regarding the use of buses for instructional and other non-route trips.	_____	_____
d. School committee policies comply with all applicable state laws as well as federal laws.	_____	_____
e. Parents and pupils are informed of the policies and rules that have been established regarding the transportation program.	_____	_____
f. Some of the written policies included are as follows:		
(1) Definition of what is considered a safe and reasonable walking distance for children (may vary according to age).	_____	_____
(2) Discipline procedures for passengers and bus drivers.	_____	_____
g. A program is in process for teaching children to become safe bus passengers. The following information is included:		
(1) Going to the bus stop.	_____	_____
(2) Waiting at the bus stop.	_____	_____

		AGREE	DISAGREE
(3)	Boarding the bus.	____	____
(4)	Disembarking at school.	____	____
(5)	Extra-curricular activities and field trips.	____	____
(6)	Evacuation drills and emergency situations.	____	____
(7)	Training programs for members of pupil safety patrol.	____	____
h.	All students in the school should participate in a safety program, not just bus students.	____	____
i.	A copy of the bus route is contained in each bus.	____	____
j.	Emergency numbers such as police, school garage, hospital, etc., are posted in each bus.	____	____
k.	Safe traffic patterns for approaching, parking on, and leaving school grounds are established.	____	____
l.	Designated personnel are present in the bus loading area to assist and supervise loading.	____	____
m.	Drivers are furnished with the names of pupils assigned to their routes.	____	____
n.	Buses are inspected regularly for cleanliness.	____	____
o.	Drivers are instructed in emergency procedures.	____	____

4. The following are selected legal rulings and suggested guidelines for pupil transportation as prepared by the Massachusetts Department of Education:

   a. Memorandum on Student Discipline/Transportation Policy - February 2, 1984

   b. Advisory Opinion on Private School Transportation - Chapter 140 of the Acts of 1985 - September 11, 1985. (Note: Same provision appears in F.Y. 1987 state budget, Chapter 206 of the Acts of 1986.)

   c. Advisory Opinion on School Committee of Lexington v. Commissioner of Education - Private School Transportation - May 28, 1986

   d. Attorney General's Opinion - Cash Reimbursement for Private School Tranportation - February 9, 1983

   e. Advisory Opinion on Student Fees - January 19, 1981

   f. Advisory Opinion on Special Needs Transportation Bidding - August 8, 1977

   g. The Process of Planning School Bus Routing and Scheduling

   h. Suggested Guidelines for the Use of Parent-Arranged Transportation of Pupils To and From School

   i. Letter on School Bus Safety Instruction - August 25, 1986

   j. Transportation Appeal Process, under G.L. Chapter 71, Section 68 - September 2, 1986

Office of the Commissioner

The Commonwealth of Massachusetts
Department of Education

1385 Hancock Street, Quincy, Massachusetts 02169

M E M O R A N D U M

February 2, 1984

TO: George Perry
Bureau of Student, Community
and Adult Services

FROM: Frederick Mandel, Esq. FM
Legal Office

RE: Student Discipline/Transportation Policy

You have asked me to provide you with a short statement summarizing the Department of Education's policy on student discipline as it relates to the statutory duty of cities and towns to provide transportation for eligible students to and from school. You state that you intend to include this statement in the comprehensive student discipline policy statement which you plan to submit for ratification to the Board of Education.

I have chosen a "question and answer" format to discuss this issue, because I believe it provides a useful vehicle to provide information to the general public.

1. Are school committees required to provide transportation to all students attending public school in the school district?

No. Massachusetts law only requires that school committees provide transportation to students who live more than two miles from the school they are entitled to attend. G.L. c. 71, § 68. School committees may in their discretion provide transportation to students residing less than two miles from school; however, state reimbursement for such transportation will not be provided to school committees for the cost of transporting students who live less than one and one-half miles from the school they attend. G.L. c. 71, § 7A.

In addition to the general requirement under G.L. c. 71, § 68, there are other circumstances in which school committees are required to provide specific transportation services to students free of charge. G.L. c. 71B,

§ 5 and the federal special education law require the school committee to provide transportation included in special education students' individualized educational plans. G.L. c. 74, § 8A requires the school committee to provide necessary transportation for students attending a vocational day school in another town under G.L. c. 74, § 7, provided that the student has not completed the twelfth grade. G.L. c. 71, § 6 requires transportation for students attending an out-of-town high school when the town of residence does not maintain a public high school.

2. Do the same requirements apply to the discipline of students in school and on school buses?

Yes. However, all rules and regulations relating to the conduct and discipline of Massachusetts public school students must be promulgated by the school committee, publicized to students and parents, and filed with the Department of Education before they can be effective. G.L. c. 71, § 37H.

3. Is it permissible for a school committee to withhold transportation from a student for disciplinary reasons?

Yes. Even though a student who lives more than two miles from the school s/he is eligible to attend is entitled to transportation, there are circumstances in which a particular student may be refused such services, such as if the student's conduct on the bus endangers the safety of others. However, these circumstances and their consequences must be included in the code of conduct described above.

4. Is a school committee required to provide late transportation for a student detained after school for disciplinary reasons?

Yes. Students who are required to serve after-school detention may not be denied transportation if they live more than two miles from school and are therefore entitled to such transportation under G.L. c. 71, § 68. Note that school officials who wish to use after-school detention as a disciplinary measure are not prevented from doing so by the Department's position. In many schools where detention is used, provisions are made for late buses to accommodate students' transportation needs. Additionally, late bus transportation costs are reimbursable expenditures under G.L. c. 71, § 7A.

5. Is it permissible for a school committee to temporarily or permanently suspend a bus route due to vandalism caused by students?

Probably not. While the Department has taken the position that bus privileges can be suspended for students who cause danger and disruption while riding on the bus, it is questionable whether the actions of a few

students can be sufficient to suspend the entire route. Therefore, suspension of an entire route may be found violative of individual students' right to transportation pursuant to G.L. c. 71, § 68.

6. Does a student, his/her parent or guardian have any recourse if a school committee refuses to provide transportation in any of the situations cited above?

Yes. Upon appeal of a parent, the Commissioner of Education may in his/her discretion order that appropriate transportation be provided for students, if it is determined that a school committee has "declined to furnish transportation" within the meaning of G.L. c. 71, § 68.

7. Does the Department of Education provide technical assistance to school committees as they set policy regarding student discipline and transportation?

Yes. The Department of Education regularly publishes and disseminates "Pupil Transportation: A Guide for Massachusetts School Administrators" which includes specific advice on pupil management and discipline on buses. Id. at pp. 24-25. Additionally, the staff of the Bureau of School Management Services, the Bureau of Student Community and Adult Services, the Legal Office and the Regional Education Centers is available for advice on specific issues relating to discipline and pupil transportation.

FM/kal
cc: Leo Turo

The Commonwealth of Massachusetts
Department of Education

1385 Hancock Street, Quincy, Massachusetts 02169

M E M O R A N D U M

September 11, 1985

TO: School Committee Chairpersons
Superintendents of Schools

FROM: John H. Lawson
Commissioner of Education JHL by RDS

RE: Private School Transportation --
Chapter 140 of the Acts of 1985

I want to call to your attention a provision of the Fiscal Year 1986 state budget, Chapter 140 of the Acts of 1985, affecting the school committee's duty to provide transportation to certain students attending private regular day schools. Line item 7035-0004, which allocates $55,258,569 for school transportation reimbursements to cities, towns, regional school districts and independent vocational school districts in Fiscal Year 1986, reads as follows:

> For the reimbursement of cities, towns, and regional school districts, and independent vocational schools for certain expenditures for transportation of pupils pursuant to the provisions of sections seven A, seven B, and thirty-seven D of chapter seventy-one of the General Laws; section eight of chapter seventy-one A of the General Laws; section fourteen of chapter seventy-one B of the General Laws; and section eight A of chapter seventy-four of the General Laws; provided further that, of the amount appropriated herein not less than one million five hundred thousand dollars shall be obligated for the implementation of chapter six hundred and sixty-three of the acts of nineteen hundred and eighty-three; and, provided further, that

> any city, town, regional school district or independent vocational school which has not accepted the provisions of chapter six hundred and sixty-three of the acts of nineteen hundred and eighty-three shall be ineligible for any reimbursement of costs incurred during fiscal year nineteen hundred and eighty-six under this item or for reimbursement of such costs under any of the provisions of general law referred to herein; provided, that the commonwealth's obligation shall not exceed the amount appropriated herein provided further, that of the amount appropriated herein not less than sixty-one thousand dollars shall be expended for reimbursing regional school districts for the provisions of section eight A of chapter seventy-four of the General Laws. [Emphasis added.]

Chapter 663 of the Acts of 1983, to which this line item refers, is the private school transportation statute that the Supreme Judicial Court considered in the case of Town of Lexington v. Commissioner of Education, 393 Mass. 693 (1985). In that decision, the Court held that the statute was ineffective, in light of the provision of General Laws Chapter 29, Section 27C (added by Proposition 2 ½) that a "local mandate" taking effect on or after January 1, 1981 cannot be imposed unless the Legislature provides state funding to cover the costs of implementation, by general law and by specific appropriation in the same legislative session in which the new law is enacted, as well as by a specific appropriation in each successive year. (The Lexington decision is discussed in detail in a February 20, 1985 memorandum to school committee chairpersons and superintendents of schools from Rhoda E. Schneider, General Counsel of this Department.)

The new language in line item 7035-0004, which was inserted by the Legislature without involvement by this Department, does two things: (1) it sets aside at least $1,500,000 of the total Fiscal Year 1986 appropriation for school transportation reimbursement, to be used to reimburse cities, towns, regional school districts and independent vocational schools for the costs of implementing Chapter 663 of the Acts of 1983; and (2) it states that any such entity that does not accept the provisions of Chapter 663 (by vote or by the appropriation of money to provide private school transportation under Chapter 663) shall be ineligible for reimbursement of transportation costs incurred during Fiscal Year 1986 for any school transportation ordinarily funded for regular day students (G.L. c.71, §§ 7A, 7B), for reduction of racial imbalance (G.L. c.71, §37D), and for students in transitional bilingual education, special education, or non-resident vocational education programs (G.L. c.71A, §8, c.71B, §14; and c.74, §8A, respectively).

Unless this provision is amended by the Legislature or overturned by a court, a school committee that declines to provide transportation in accordance with Chapter 663 may jeopardize its eligibility to receive state aid for school transportation that it provides to public school students in Fiscal Year 1986. The basic requirements of Chapter 663 (a copy of which is attached for your information) are:

> -- The school committee must provide transportation for any pupil attending an approved private school <u>within the boundaries</u> of the school district, provided that the distance between the pupil's residence and the private school exceeds two miles or some other minimum distance set by the school committee for transportation of public school pupils.
>
> -- Any school committee that is required by law to transport a pupil attending a private school <u>beyond the boundaries</u> of the school district is not required to do so further than the distance from the pupil's residence to the public school s/he is entitled to attend.

These requirements are further explained in a January 30, 1984 memorandum to school committee chairpersons and superintendents of schools from Commissioner John H. Lawson. If you need another copy of that memorandum, or the February 20, 1985 memorandum on the <u>Lexington</u> decision, please call (617) 770-7315. We will notify you if legislative or judicial action significantly changes the apparent effect of the new language enacted in line item 7035-0004.

JHL/S1
Enclosure:

Chap. 663. PROVIDING FOR TRANSPORTATION OF CERTAIN SCHOOL PUPILS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide transportation service to private school pupils, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 76 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 875 of the acts of 1971, and inserting in place thereof the following paragraph:-

Except as herein provided, pupils who attend approved private schools of elementary and high school grades shall be entitled to the same rights and privileges as to transportation to and from school as are provided by law for pupils of public schools, and shall not be denied such transportation because their attendance is in a school which is conducted under religious auspices or includes religious instruction in its curriculum. Each school committee shall provide transportation for any pupil attending such an approved private school within the boundaries of the school district, provided, however, that the distance between said pupil's residence and the private school said pupil attends exceeds two miles or such other minimum distance as may be established by the school committee for transportation of public school students. Any school committee which is required by law to transport any pupil attending an approved private school beyond the boundaries of the school district shall not be required to do so further than the distance from the residence of such pupil to the public school he is entitled to attend.

SECTION 2. Any school committee which under the provisions of this act is obligated to provide transportation services to nonpublic school pupils who were not receiving such services during the period of the nineteen hundred and eighty-three and nineteen hundred and eighty-four school year prior to the effective date of this act shall submit to the commissioner of education, as soon as possible after January first, nineteen hundred and eighty-four a proposed expenditure plan for additional transportation costs incurred during the nineteen hundred and eighty-three to nineteen hundred and eighty-four school year as a result of this act, including any supporting documentation as requested by said commissioner.

The commissioner of education shall approve the payment of state funds for the costs of such additional transportation services after said commissioner has approved such expenditure plan, and such payment shall be made forthwith and shall be deposited by the city, town or regional school district treasurer in a separate account. The school committee shall expend the funds solely for the purpose of such transportation services without further appropriation. Such funds shall also be deducted from the state aid received by the city, town, or regional school district under the provisions of sections seven A and sixteen C of chapter seventy-one of the General Laws during fiscal year nineteen hundred and eighty-five.

SECTION 3. The provisions of this act which affect any city, town, or regional school district which, on the effective date of this act, are not providing transportation services to nonpublic school pupils shall take effect on January first, nineteen hundred and eighty-four.

SECTION 4. Notwithstanding the provisions of said section seven A of said chapter seventy-one of the General Laws, the commonwealth shall, for fiscal year nineteen hundred and eighty-four and subject to appropriation, reimburse the costs incurred in the transportation of nonpublic school pupils whose transportation to approved private schools would not have been required but for the passage of this act; provided, however, that the amount of such reimbursement shall not exceed the average per pupil cost incurred by the city, town, or regional school district in the transportation of pupils to public schools; and, provided further, that the commissioner of education may exceed such reimbursement limit for any city or town or regional school district that demonstrates a unique and disproportionate municipal financial burden as a result of this act. The commissioner of education may, upon finding that such a unique and disproportionate financial burden exists, approve the payment of up to one hundred per cent of the cost of such additional transportation services. The commissioner of education shall calculate the amount of reimbursement to which a city, town or regional school district may be entitled under the provisions of this section and shall include such amount in his calculation of transportation expenses under the provisions of section seven A and sixteen C of said chapter seventy-one of the General Laws.

Approved December 20, 1983.

H 5601

FY 1987 State budget — Chapter 206 of the Acts of 1986

Item		
7035-0001	For the adult education and extended services program, including not more than twenty-seven positions, prior appropriation continued	$624,316
7035-0002	For the expenses of providing basic educational attainment and work-related programs in reading, writing and mathematics at adult learning centers; provided, that no expenditures for non-employee services from the so-called 03 subsidiary shall be made from this account	$2,000,000
7035-0004	For the reimbursement of cities, towns and regional school districts and independent vocational schools for certain expenditures for transportation of pupils pursuant to the provisions of sections seven A, seven B, and thirty-seven D of chapter seventy-one of the General Laws; section eight of chapter seventy-one A of the General Laws; section fourteen of chapter seventy-one B of the General Laws; and section eight A of chapter seventy-four of the General Laws; provided, further, that of the amount appropriated herein, not less than one million five hundred thousand dollars shall be obligated for the implementation of chapter six hundred and sixty-three of the acts of nineteen hundred and eighty-three; provided, further, that <u>any city, town, regional school district or independent vocational school which has not accepted the provisions of chapter six hundred and sixty-three of the acts of nineteen hundred and eighty-three shall be ineligible for any reimbursement of costs incurred during fiscal year nineteen hundred and eighty-seven under this item or for reimbursement of such costs under any of the provisions of general law referred to herein;</u> and provided, further, that the commonwealth's obligation shall not exceed the	

transp.

c. 663

Item		
	amount appropriated herein	$58,021,497
	Local Aid Fund 100.0%	
7035-0006	For the reimbursement of regional school districts for the transportation of pupils; provided, that an additional three thousand four hundred and two dollars be reimbursed to the town of Groveland for unanticipated transportation expenses due to the commonwealth's road reconstruction project on Route 97	$24,844,396
	Local Aid Fund 100.0%	
7035-0007	For the administration of a transportation efficiency program by the department, including the development of pilot programs; provided, that the commissioner shall file a report with the house and senate committees on ways and means detailing the type of automation system to be used under said programs; provided, further, that said program shall utilize all available resources within the institutions of higher education of the commonwealth, prior appropriation continued.	
	Division of School Facilities and Related Services.	
7051-0005	For the general administration of the division, including the school building assistance bureau and the school lunch bureau, and for printing school registers and other school blanks for cities and towns, including not more than thirty-five positions	$1,168,091
7051-0015	For the administration of the temporary emergency food program, in addition to any federal funds available for the purpose; provided, that the commissioner of education shall perform a study of said temporary emergency food program with respect to the role of the department in administering said program and shall devise and implement appropriate measures to ensure the efficient	

TEFAP

The Commonwealth of Massachusetts
Department of Education

1385 Hancock Street, Quincy, Massachusetts 02169

M E M O R A N D U M

May 28, 1986

TO: School Committee Chairpersons
Superintendents of Schools
Other Interested Parties

FROM: Rhoda E. Schneider
Acting Commissioner of Education

RE: School Committee of Lexington v. Commissioner of Education - Private School Transportation

On May 19, 1986, the Supreme Judicial Court ruled that the Legislature has the authority to condition reimbursement for public school transportation services upon the provision of the private school transportation services called for in Chapter 663 of the Acts of 1983. School Committee of Lexington v. Commissioner of Education ("Lexington II"), 397 Mass. 593 (1986).

Chapter 663 of the Acts of 1983 amended G.L. c.76, §1 to require publicly-funded transportation for students who attend approved private schools over and above that called for in the Essex decision of 1982. Attorney General v. Essex, 387 Mass. 326 (1982).* Subsequently, the Supreme Judicial Court declared that Chapter 663 was unenforceable because it violated "Proposition 2½", G.L. c.29, §27C, insofar as it constituted a "new local mandate", the costs of which were not funded by the Legislature. That decision, Town of Lexington v. Commissioner of Education, 393 Mass. 693 (1985) ("Lexington I"), was described in our Advisory Opinion dated February 20, 1985.

Following the decision in Lexington I, the Legislature enacted St.1985, c.140 (the 1986 fiscal year budget), line item 7035-0004 of which appropriates funds for reimbursement for pupil transportation under G.L. c.71, §§ 7A, 7B

* The Essex decision is discussed in an Advisory Opinion dated September 24, 1982. and Chapter 663 is discussed in an Advisory Opinion dated January 30, 1984.

and 37D; c.71A, §8; c.71B, §14 and c.74, §8A. That line item states that any city, town or school district that does not accept the provisions of Chapter 663 (by vote or by the appropriation of money to provide Chapter 663 private school transportation) shall be ineligible for reimbursement of transportation costs incurred during FY '86 for any school transportation.

The School Committees of Lexington and Newton initiated a lawsuit, Lexington II, to seek a declaratory judgment that St.1985, c.140, line item 7035-0004, is ineffective in light of "Proposition 2½" because it constitutes a new, unfunded mandate to provide private school transportation. The Court disagreed, holding that the Legislature can impose such conditions on reimbursement, since under "Proposition 2½" there is no obligation to reimburse cities and towns for the expenses of mandates that predate January 1, 1981. In reaching this conclusion the Court noted that since "Proposition 2½" is not a constitutional amendment, it enjoys a legal status no different from any other statute. Consequently, the Legislature may provide specifically that a new statute supersedes Proposition 2½, it may provide funding for a new mandate in the same legislative session in which it is enacted, or, as in this case, it may "adopt the carrot and stick approach", even though "the condition imposed makes the acceptance of the now 'voluntary' c. 663 a very hard bargain." Lexington II, 397 Mass. 593, 596 (1986).

Since the Court's decision upholds the validity of the condition in line item 7035-0004, Department staff will be checking FY '86 transportation reimbursement claims to insure compliance with the requirements of Chapter 663. At this writing the FY '87 budget is not final so it is not clear if the Legislature will include similar language in future budget line items.

We would be pleased to provide you with additional copies of the Advisory Opinions referred to above. If you have questions regarding your district's obligation in particular circumstances, we urge you to consult with local counsel.

RES/M1

RES/M1

Office of the Commissioner

The Commonwealth of Massachusetts
Department of Education

1385 Hancock Street, Quincy, Massachusetts 02169

M E M O R A N D U M

February 9, 1983

TO: Fred Williams
John Stalker
Leo Turn
Regional Center Directors

FROM: Rhoda E. Schneider
General Counsel

RE: Attorney General's Opinion -- Cash Reimbursement for Private School Transportation

Last year we requested an opinion of the Attorney General on an issue of private school transportation under G.L. c. 76, § 1. Specifically, we asked the Attorney General whether the statute requires a school committee to provide cash reimbursement to parents of students attending out-of-district private regular day schools for that part of the bus trip that takes place within the district, where the school committee transports no public school students out-of-district to comparable programs.

We have just received the Attorney General's opinion, which concludes that school committees are not required to provide cash reimbursement to parents of private school students attending out-of-district schools.

I am enclosing a copy of the Attorney General's opinion for your information. I am not planning to distribute it generally to all Superintendents of Schools and School Committee Chairpersons, since to my knowledge the issue of cash reimbursement for out-of-district private school transportation has arisen in only two or three school districts. (Our request to the Attorney General was prompted by an issue that arose in the Hanson and Whitman-Hanson Regional School Districts, and I have already sent a copy of the opinion to those Superintendents.) However, you should feel free to send a copy of the opinion to anyone who inquires about the issue.

Enclosure:

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE ATTORNEY GENERAL
JOHN W. Mc CORMACK STATE OFFICE BUILDING
ONE ASHBURTON PLACE, BOSTON 02108

FRANCIS X. BELLOTTI
ATTORNEY GENERAL

82/83-7

February 3, 1983

John W. Lawson, Commissioner
Department of Education
1385 Hancock Street
Quincy, Massachusetts 02169

Dear Commissioner Lawson:

You have requested my opinion concerning the scope of a school committee's responsibility for transportation of non-public school students.[1/] Specifically, you ask whether General Laws chapter 76, section 1, requires a school committee to provide cash reimbursement to parents of students attending out-of-district private regular day schools for that part of the bus trip that takes place within the district, where the school committee transports no public school students out of district to comparable programs. If so, you ask whether the amount of reim-

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1/ Your request derives from your responsibilities to advise school committees concerning their legal duties and to ensure that the laws pertaining to education are enforced. See, e.g., G.L. c. 15, §1G. In addition, the Department of Education has the statutory responsibility to reimburse school committees for the costs of transportation which they are required by law to furnish students. See, G.L. c. 71, §7A.

bursement must be in an amount equal to the per pupil transportation cost the school committee expends for district public school transportation.

For the reasons set forth below, it is my conclusion that school committees are not required to provide cash reimbursements to parents of private school students attending out-of-district schools. The Department of Education therefore has no corresponding responsibility to reimburse a school committee which chooses to reimburse parents of private school students for those transportation costs. Since I have answered your first question in the negative, I find no need to address your second question concerning the amount of reimbursement that must be provided to the parents of private school students.

At the outset it should be observed that your question is a narrow one; it focuses on the responsibility of the school committee to reimburse parents of private school students for transportation to those schools. It does not involve a determination of the issue of the extent of the school committee's responsibility to provide transportation to private school students.

This is not a distinction without difference. The Supreme Judicial Court has had occasion to address the issue of the responsibility of school committees to provide transportation to

private school students several times since the enactment of G.L. c. 76, §1. See, Attorney General v. School Committee of Essex, 387 Mass. 326 (1982); Murphy v. School Committee of Brimfield, 378 Mass. 31 (1979); Quinn v. School Committee of Plymouth, 332 Mass. 410 (1955).

The decision in those cases would appear to be totally dispositive of your questions. In Murphy v. School Committee of Brimfield, for instance, the Supreme Judicial Court held that district lines are the primary consideration in determining a school committee's private school transportation responsibility under G.L. c. 76, §1: "private school students are entitled to receive transportation to schools located outside their district of residence only if, and to the extent that, public school students enrolled in comparable programs receive transportation to schools located outside their district of residence," 373 Mass. at 37. In its most recent decision, the Supreme Judicial Court held that where a school committee provides out-of-district transportation to public school students, General Laws chapter 76, section 1, requires that it provide transportation to private school students under the age of sixteen who attend schools that are the same distance from home or closer than the public school the student is entitled to attend. Attorney General v. School Committee of Essex, 387 Mass. at 337.

You inform me that the school committee in question here transports no public school students out of district, but under G.L. c. 76, §1, a school committee is required to provide out-of-district private school transportation only if it transports public school students in comparable programs out of the district. Murphy v. School Committee of Brimfield, 378 Mass. at 38 n.8 (1979). Because the case law clearly states that there is no requirement to provide reimbursement to the parents of private school students for out-of-district transportation, the inquiry would appear to be at an end. Because you have indicated that this remains an important question, however, I go beyond the dispositive opinions of the Supreme Judicial Court and analyze further the specific statutory provision to determine if there exist any new arguments, not considered by the Court, requiring cash reimbursement.

In answering the question afresh, I begin with the provision of the statute itself and measure it by the cardinal rule of statutory interpretation succinctly stated by Chief Justice Rugg in Hanlon v. Rollins, 286 Mass. 444 (1934):

> [T]he general and familiar rule is that a statute must be interpreted according to the intent of the Legislature ascertained from all its words construed by the ordinary and approved usage of the

> language, considered in connection with the cause of its enactment, the mischief or imperfection to to be remedied and the main object to be accomplished, to the end that the purpose of its framers may be effectuated.
>
> Id. at 447.

Thus, the language of the G.L. c. 76, §1, itself must be the starting point for determining its meaning, as well as the principal source of insight into the legislative purpose for its enactment. Globe Newspaper Co. v. Superior Court, 379 Mass. 846 (1980); Hoffman v. Howmedica, Inc., 373 Mass. 32, 37 (1977). The language of G.L. c. 76, §1, providing for transportation to private school students is plain and unambiguous. It states, in relevant part that:

> Pupils who . . . attend private schools of elementary and high school grades . . . shall be entitled to the same rights and privileges as to transportation to and from school as are provided by law for pupils of public schools (emphasis supplied).

The express language of this portion of G.L. c. 76, §1, deals with transportation. It does not authorize cash reimbursement. Thus, to answer your question one need go no further than the statutory language itself.

Moreover, no support for cash reimbursement can be discerned from the statute's legislative history or purpose.. The purpose of school transportation, articulated in the statute itself, is "to protect children from the hazards of traffic and promote their safety," and it therefore provides that "cities and towns may appropriate money for conveying pupils to and from any schools approved under this section." G.L. c. 76, §1. See also, Attorney General v. School Committee of Essex, at 333-334. Indeed, cash reimbursement for school transportation might well be contrary to the public safety purpose of this provision. For example, parents providing their own transportation would necessarily increase traffic on the roads and highways and thereby create more hazards to the safety of children. School buses, on the other hand, operate to decrease extra traffic, making the road travel less hazardous. Furthermore, the operation of school buses is governed by specific statutory safety standards and motor vehicles laws require other vehicles to observe certain rules for the safety of those traveling in school buses. See generally, G.L. c. 90, §§7B, 7C, 7D, 7D-1/2. Mere payment of a cash reimbursment to parents would not necessarily further the stated purpose of G.L. c. 76, §1.

The fact that a town or regional school district may transport some public school students to out-of-district Chapter 766

programs, vocational-educational programs and cosmetology and health care programs does not create an obligation to provide transportation for private school pupils attending regular or private school programs outside the district. The Supreme Judicial Court has noted that a school committee's transportation of pupils in special needs, vocational and cosmetology programs does not trigger the regular private school transportation obligation under G.L. c. 76, §1, as these school programs are not comparable. Murphy v. School Committee of Brimfield, 378 Mass. at 33-34 n.3; Quinn v. School Committee of Plymouth, 332 Mass. at 414. Under G.L. c. 76, §1, school committees are only required to transport private school students to educational programs that are comparable to the programs to which it transports public school students.2/

For all these reasons, it is my opinion that G.L. c. 76, §1, requires that a school committee provide transportation to pri-

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2/ As the Supreme Judicial Court has previously observed, this conclusion may operate to impose a disadvantage to those students attending private schools in those school districts where no private school exists and the school committee transports no public school students outside the district. This seeming inequality was raised by the Whitman-Hanson Regional School Committee in Murphy v. School Committee of Brimfield, 378 Mass. at 38 n.8. There, the Supreme Judicial Court expressly rejected the claim that this result was problemmatic under equal protection standards. Id.; see also, Attorney General v. School Committee of Essex, 387 Mass. at 338 n.5 (1982).

vate school students only to the same extent provided to public school students. Where, as in this case, no public school students are transported outside the district and where there is no private school located within the district, there is no requirement that transportation be provided to the private school students. A fortiori, there is no corresponding or independent requirement to provide reimbursement to the parents of these private school students. While a school committee may decide to provide such transportation or to reimburse parents of private school students, G.L. c. 76, §1, imposes no requirement on the Department of Education to reimburse school committees for these costs.

Very truly yours,

FRANCIS K. BELLOTTI
ATTORNEY GENERAL

Office of the Commissioner

The Commonwealth of Massachusetts
Department of Education

31 St. James Avenue, Boston, Massachusetts 02116

M E M O R A N D U M

January 19, 1981

TO: School Committee Chairpersons and
Superintendents of Schools

FROM: Rhoda E. Schneider RES
General Counsel

RE: Advisory Opinion on Student Fees

The passage of "Proposition 2½" (Chapter 580 of the Acts of 1980) has prompted school officials to raise questions about the legality of charging fees to public school students for participation in certain school activities. The attached advisory opinion, prepared by Helen P. Brown, Esq. of the Department of Education Legal Office, is intended to provide some guidance on this issue.. If you have further questions about the legality of student fees, please consult your local counsel.

RES/kal
Enclosure:

Office of the Commissioner

The Commonwealth of Massachusetts
Department of Education

31 St. James Avenue, Boston, Massachusetts 02116

ADVISORY OPINION ON STUDENT FEES

The purpose of this advisory opinion is to offer some guidance to school committees and superintendents of schools on the legality of charging student fees for various school activities. Because there is little case law on the subject in Massachusetts, much of this advisory is based on statutory interpretation and court decisions from other states.

In general, school committees may not charge student fees for participation in required or elective courses that are given for academic credit. School committees must supply textbooks and other instructional materials and school supplies for these courses free of charge. However, certain provisions of the General Laws do authorize school committees to charge fees for participation in particular programs. Moreover, reasonable fees may be charged to those students who can afford to pay for their participation in extracurricular activities, although we do not recommend them. Finally, school committees are required to provide specific transportation services free to students, as outlined in more detail below.

I. Required or Elective Courses Given for Credit

The Massachusetts Constitution consistently has been construed to provide for the support and maintenance of free public schools in the Commonwealth. See, MASS. CONST. Pt. 2, c.5, s.2; Amend. Arts. 18 and 46. The operative provision states that

> ...it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences...especially the...public schools and grammar schools in the towns...
> MASS. CONST. Pt.2, c.5, s.2.

In Jenkins v. Andover, 103 Mass. 94, 96-97 (1896), the Supreme Judicial Court said:

> The founders of the colony appreciated the importance and necessity of providing for the universal education of the people... Accordingly...they laid the foundation of a system of common schools, which...has always retained its fundamental character and purposes.

See also, Lynch v. Commissioner of Education, 317 Mass. 73, 56 N.E. 2d 396 (1944); Merrick v. Inhabitants of Amherst, 94 Mass. 500 (1866); 1964 Op. Atty. Gen. 184; 1967 Op. Atty. Gen. 200-202. The public policy favoring a free public education is also found in several sections of the General Laws. See, G.L. c.71, ss. 1, 34, 68; c.76, s.5; St. 1972, c.766, s.1.

A. Textbooks and Other School Supplies

G.L. c.71, s.48 requires school committees to purchase textbooks and other school supplies for students, as follows:

> The [school] committee shall, at the expense of the town, purchase textbooks and other school supplies, and, under such regulations as to their care and custody as it may prescribe, shall loan them to the pupils free of charge. If instruction is given in the manual and domestic arts, it may so purchase and loan the necessary tools, implements and materials. It shall also, at like expense, procure such apparatus, reference books and other means of illustration, as may be needed.
> (Emphasis added.)

Section 48 clearly requires school committees to purchase textbooks and loan them to students free of charge. See, Parkhurst v. City of Revere, 263 Mass. 364, 161 N.E. 599 (1928). "Other school supplies" has been interpreted to include instructional materials both for courses the school committee is required by law to offer and for courses taught at the discretion of the school committee. See, Brine v. City of Cambridge, 265 Mass. 452, 164 N.E. 619, 620 (1929); Ring v. City of Woburn, 311 Mass. 679, 43 N.E. 2d 8, 12-15 (1942).

Courts in other states with similar constitutional provisions for free public schools have invalidated student fees when charged as a condition of school attendance, or when the fees are charged for courses credited toward graduation. See, e.g., Paulson v. Minidoka County School District No. 331, 93 Idaho 469, 463 P.2d 935, 938 (Sup. Ct. 1970); Bond v. Public Schools of Ann Arbor District, 383 Mich. 643, 178 N.W. 2d 484, 488 (Sup. Ct. 1970); Granger v. Cascade County School District No. 1, 159 Mont. 516, 499 P.2d 780, 786 (Sup. Ct. 1972); Concerned Parents v. Caruthersville School District 18, _____Mo._____, 548 S.W. 2d 554, 562 (Sup. Ct. 1977). These cases suggest that school committees are required to furnish students with free supplies both for courses they are required to take and for elective courses given for credit. Under this standard, in our opinion, a reasonable amount of consumable materials must be provided to students free of charge. Similarly, school functions such as field trips which are required as part of the regular curriculum must be provided free to students. See, Selfridge v. Board of Education, Order of the New Jersey Commissioner of Education, May 2, 1977.

B. Practical Arts

G.L. c.71, s.48's provision on materials for use in the manual and domestic arts has not been interpreted by the courts in Massachusetts. However, G.L. c.71, s.17 requires every town of 20,000 inhabitants to offer courses in both manual training and household arts as part of its elementary and high school program. In our opinion, supplies for these courses, whether required to be offered under Section 17 or offered in the discretion of the school committee, must be provided free to students, under the reasoning of the cases cited above.

C. Vocational Education Programs

Section 4.08.1 of the Chapter 74 Regulations, 603 CMR s.4.01 et seq., provides that schools offering a vocational education program shall not charge tuition or require fees "[e]xcept where specifically authorized to do so by state law". School supplies required for vocational courses, such as building materials, tools and other supplies, must be provided free to students.

D. Compulsory Physical Education

G.L. c.71, s.3 provides that physical education shall be taught as a required subject in all grades for all students; a 1979 amendment eliminated its "daily" requirement. St. 1979, c.81. Section 4.03 of the Board of Education's Regulations Pertaining to Physical Education, 603 CMR s.9.01 et seq., requires school committees to purchase and maintain "supplies, equipment and facilities for physical education programs..." Under this provision, school committees must provide supplies for the compulsory physical education program to students free of charge. If the school committee requires certain equipment, such as uniforms, then it must

provide them to students free; however, standard clothes permitted for use in physical education, such as sneakers or shorts, need not be provided.

E. Driver Education

G.L. c.71, s.13D permits a school committee to incorporate a driver education course into its high school program. As a part of the regular school curriculum, such a course must be offered to students free of charge under the cases cited above. Section 13D also permits a school committee to offer driver education as an evening course for the training of persons under 25 years of age; the school committee is authorized to fix reasonable fees for such an evening course or to charge no fee.

Under G.L. c.71, s.13, any course not included in the regular curriculum of a high school of not less than 150 pupils must be taught if the parents or guardians of not less than 30 pupils (or of 5% of the pupils enrolled, whichever is less) request in writing that the course be taught. Under G.L. c.71, s.13D, a driver education course required by Section 13 shall consist of both classroom instruction and behind-the-wheel training. If a school committee is required to offer a driver education course under the provisions of Section 13, the entire course must be offered to students free of charge. See, G.L. c.71, ss. 13, 13D; Johnson v. School Committee of Brockton, 371 Mass. 896, 358 N.E. 2d 820, 821 (1977). A 1978 amendment to Section 13D provides that the behind-the-wheel training component of a driver education course required by Section 13 need not be included during the regular school day. St. 1978, c.456, s.1. In our opinion, this amendment does not affect the holding in Johnson that no fee may be charged when the course is offered as part of the regular curriculum.

Under G.L. c.71, s.13D, a school committee may schedule part or all of an evening driver education course in the afternoon after school and charge a reasonable fee. In addition, if a school committee offers a driver education course not for credit, e.g., as an extracurricular activity, then it may charge a reasonable fee for the course. Only when a driver education course is offered as part of the regular school curriculum or compelled to be taught under G.L. c.71, s.13 are student fees prohibited.

II. Extracurricular Activities

There is no clear judicial interpretation as to whether supplies for extracurricular activities must be provided to students free of charge under G.L. c.71, s.48. In 1929, the Supreme Judicial Court held that school committees were not required to supply students with athletic equipment; the Court found that the provision of athletic equipment was not "for a school purpose" and excluded athletic supplies from "other school supplies" in Section 48. See, Brine v. City of Cambridge, 265 Mass. 452, 164 N.E. 619 (1929). However, between 1950 and 1954, the Legislature amended the provisions of G.L. c.71, s.47, governing a school committee's authority to provide for student participation in certain extracurricular activities, to establish that expenditures for athletics and other included activities were deemed to be "for a school purpose":

> Expenditures by the committee for the organization and conduct of physical education, athletics, sports, games and play, for providing proper apparatus, equipment, supplies, athletic wearing apparel, including appropriate souvenir garments and trophies, and facilities for the same...[and] for making

> special awards to pupils who have performed meritoriously in the fields of art, debating, distributive education, music, science, social studies or languages shall...be deemed to be for a school purpose...Cities and towns may appropriate for...the purchase of band and cheerleaders' uniforms and musical instruments for the members of bands... (Emphasis added.)

Although Section 47 permits certain expenditures for included activities, it does not require school committee appropriations for them. On the other hand, neither Section 47 nor the Physical Education Regulations specifically authorize school committees to collect fees from students who participate in extracurricular activities.

Several state supreme courts have distinguished between fees for non-credit extracurricular activities and fees for academic courses for credit, permitting the former and disallowing the latter. See, e.g., Paulson v. Minidoka County School District No. 331, 93 Idaho 469, 463 P.2d 935 (Sup. Ct. 1970); Granger v. Cascade County School District No. 1, 159 Mont. 516, 499 P.2d 780 (Sup. Ct. 1972); see also, Opinion of the Attorney General of Wyoming, June 11, 1971. These opinions suggest that fees for extracurricular supplies or activities are permissible when the amount of the fee is reasonable, only participating students are charged, there is no sanction for nonpayment, and students financially unable to pay are exempted. Id. However, charging a uniform activity fee to all students, including those who do not participate in extracurricular activities, or punishing students for nonpayment of a fee by withholding diplomas, transcripts, grades or enrollment in specific courses, or other such actions, has been found to be impermissible in these cases. More recent cases require that a fair waiver procedure for fees be instituted

with adequate and timely notice to students and parents of the availability of the waiver, and procedures to insure confidentiality. Cf., Sneed v. Greensboro City Board of Education, ____N.C.____, 264 S.W. 2d 106, 113-114 (1980).

Further, student fees charged for participation in extracurricular activities must be returned to the city, town or district treasury. G.L. c.44, s.53. With the exception of regional school districts, the school department may not use these fees without specific appropriation. See, G.L. c.44, s.53; c.71, ss. 16(f), 16A, 16D.

In view of the problems inherent in the charging of student fees, we recommend that you consider other options for the funding of extra-curricular programs. G.L. c.71, s.47 authorizes school committees to receive and expend funds in connection with the conduct of interscholastic athletics, to be deposited with the town or regional school district and held as a separate account. This statute would permit admission fees to be charged at athletic events to benefit the school's total interscholastic athletic program. In addition, G.L. c.44, s.53A permits an officer or department of any city, town or regional school district to accept and deposit in a separate account grants or gifts of funds from the federal government, a charitable foundation, a private corporation or an individual, and expend such funds with the approval of the school committee under certain conditions. Organizations such as the Parent-Teacher-Student Association, the Kiwanis Club or the Rotary Club, as well as local businesses, can donate funds under this statute to be used to support extracurricular programs. Unlike fees charged to students for participation in extracurricular activities, funds received under these statutes may be

expended without specific appropriation.

III. Statutes Authorizing Student Fees

There are certain statutes which explicitly authorize school committees to receive and expend certain fees for specific activities according to various statutory procedures. See, e.g., G.L. c.71, s.13D (evening driver education courses), ss. 18-20 (evening schools), s.21 (continuation schools), ss. 26B-26C (extended school services for children of working parents), s.28 (summer schools), s.71B (adult fitness programs), s.71C (community school programs), s.71E (adult education and continuing education programs), s.72 and St. 1948, c.548 (school lunch program); c.74, s.14 (evening practical arts classes). With the exception of evening schools, these statutes provide for separate accounts and the expenditure of receipts without further appropriation, under certain conditions. Under G.L. c.71, s.20, fees received from evening schools may at the discretion of the school committee be paid into the town treasury to be credited to the school appropriation, or be returned in whole or in part at such time and under such conditions as the school committee determines.

IV. Transportation

School committees are required to provide specific transportation services to students free of charge. G.L. c.71B, s.5 and the federal special education law require the school committee to provide transportation included in special education students' individualized educational plans. G.L. c.74, s.8A requires the school committee to provide necessary transportation for students attending a vocational day school in another town under G.L. c.74, s.7, provided that the student has not completed

the twelfth grade. G.L. c.71, s.6 requires local transportation for students attending an out-of-town high school when the town of residence has less than 500 families and does not maintain a high school. See, Murphy v. School Committee of Brimfield, 1979 Mass. Adv. Sh. 1196, 389 N.E. 2d 399, n.6 at 402 (1979); 1927 Op. Atty. Gen. 136.

G.L. c.71, s.68 requires school committee transportation for students residing over 2 miles from the school they are entitled to attend. See, Wilson v. Brouder, 291 Mass. 389, 197 N.E. 26 (1935); Murphy v. School Committee of Brimfield, supra, 389 N.E. 2d, n.6 at 402; 1966 Op. Atty. Gen. 232-233; 1967 Op. Atty. Gen. 200-202. Under this statute, school committees are not required to provide transportation for students residing less than 2 miles from school. In practice, many school committees provide transportation for students residing over 1½ miles from school because they are reimbursed for it.

G.L. c.71, s.7A provides that the Commonwealth shall reimburse towns for transportation "expenses approved by the commissioner of education, incurred" by the towns, in excess of $5 per year per pupil (based on the net average membership of a town), for students residing over 1½ miles from school. State reimbursement of expenses under Section 7A is for transportation of pupils once daily to and from school. Under this section, the Commonwealth cannot reimburse a town unless it has actually incurred the appropriate expense for a pupil; and it cannot reimburse a town for any expenses paid for by the collection of student fees. See, 1966 Op. Atty. Gen. 120. The amount the school committee pays for transportation of students over 1½ miles from school after deducting student fees would be reimbursable, as long as it exceeds $5 per year per pupil.

In general, the determination of whether transportation is required for a particular school activity will depend on whether or not the activity itself must be provided to students free of charge. Transportation for school functions such as field trips which are part of the regular curriculum, in our opinion, must be provided to students free of charge. G.L. c.71, s.47 authorizes but does not require school committee transportation for certain extracurricular activities (e.g., transportation for athletic teams, coaches, cheerleaders, bands, musical festivals, competition or other events). In such instances, a fee may be charged. In determining the need for free transportation for a particular school activity, we suggest that you consult with local counsel.

/kal

The Commonwealth of Massachusetts
Department of Education

31 St. James Avenue, Boston, Massachusetts 02116

M E M O R A N D U M

8 August 1977

TO: Leo P. Turo, David Keeler, Paul W. Jackson
Bureau of School Management Services

FROM: Rhoda E. Schneider RES
Legal Office

RE: Special Needs Transportation

This is in response to your July 13th memo to Sandra Lynch. You asked whether the General Laws contain any statutes pertaining to the awarding of contracts for special education transportation.

I agree with your assessment that there is nothing in G.L.c.71, ss. 7A and 7B; G.L.c.71B and the Chapter 766 Regulations; or G.L.c.40, s.4B that specifically requires competitive bidding for special education transportation contracts. G.L.c.71, s.7A requires competitive bidding for regular school transportation reimbursed under that statute.* G.L.c.71B, ss.8, 11 and 13 and Chapter 9 of the Chapter 766 Regulations deal with transportation for children with special needs, but contain no specific provision requiring competitive bidding. G.L.c.40, s.4B deals with local competitive bidding, but pertains to equipment, materials and supplies, rather than services such as transportation. Therefore, there is no statute or regulation that specifically requires a school committee to "go out to bid" for special education transportation.

Even though there is no specific language in the General Laws or the Chapter 766 Regulations requiring competitive bidding for special education transportation, I think an argument can be made that our Department has the authority under the general provisions of G.L.c.71B, s.13 to require competitive bidding as a matter of policy.

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* In my November 6, 1975 letter to Edward J. Owens of Billerica, I said that G.L.c.71, s.7A required competitive bidding for special education transportation as well as "regular" school transportation. (I believe you have seen a copy of that letter.) I think now that my reasoning in that letter was incorrect, since G.L.c.71, s.7A deals only with the provision of and reimbursement for regular school transportation. However, for the reasons stated in this memo, I think the policy stated in that letter is correct and enforceable by the Department even though it is not founded in the specific language of G.L.c.71, s.7A.

G.L.c.71B, s.13, the reimbursement section of Chapter 766, says, in pertinent part:

> The cost of instruction, training and support, including the cost of special education personnel, materials and equipment, tuition, transportation, rent and consultant services, of the children in special classes...shall...be reimbursed by the Commonwealth....Such reimbursement shall be made only after approval and certification by the Department that such expenditures are reasonable.
> [Emphasis added.]

In my opinion, this provision of G.L.c.71B, s.13 gives the Department the discretion to say, as a matter of policy, that expenditures for special education transportation are "reasonable"(and therefore reimbursable) only if the school committee contracts for the transportation through competitive bidding. Such a policy would be logical, if it is assumed that the process of competitive bidding elicits the most "reasonable" prices, and it would be consistent with the G.L.c.71 s.7A requirement of competitive bidding for regular school transportation.

If your Bureau and the Division of Special Education decide that as a matter of policy we should require competitive bidding on local special education transportation contracts, the policy must be consistent, and school systems must have sufficient advance notice of the policy so they can adequately plan for it. I suggest the following as some steps that should be taken:

(1) Survey a sample of school systems to determine how many already "go out to bid" for special education transportation and how many do not. (This would give you an idea of how much of an administrative burden will result from school systems changing old habits.)

(2) In conjunction with the Division of Special Education, consider if there should be any flexibility if we impose a general requirement of competitive bidding. For example, if one child is evaluated and requires a special education program starting next week, should the school committee have to contract for the necessary transportation by competitive bidding?

(3) If the policy decision is made to require competitive bidding in certain or all circumstances, I recommend including the requirement in the amendments to the Chapter 766 Regulations. This would mean school systems would have an "official" opportunity to comment on the requirement at the public hearing(s) on the Regulations, and would give the requirement the force of l

I hope this is helpful to you. Let me know if you want to discuss this further.

cc: Ed Gotgart, Division of Special Education

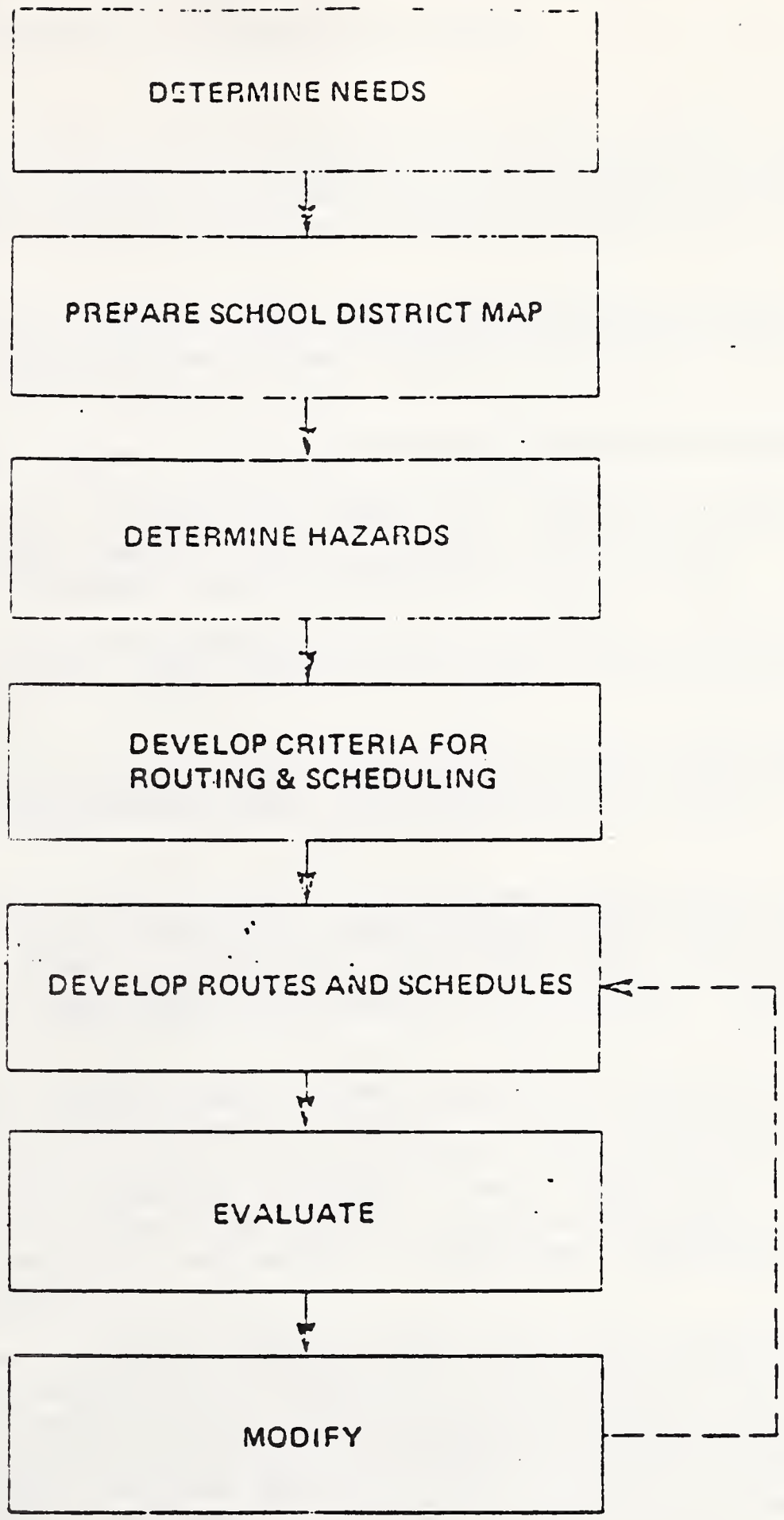


Figure 1. The Process of Planning School Bus Routing and Scheduling

TASK I
Determination of Transportation Needs

Objective

Before any transportation planning can be initiated, it is necessary to determine the extent to which service is needed. The objective of this task is to inventory pupil demand, environmental conditions, and available resources in order to form a basis for the transportation plan.

Transportation Needs Survey. New York State has developed an outline for a transportation needs survey which is being followed by many states. This outline suggests that a survey should provide the following information.

1. Location of pupils' homes. This can be determined from school census data.

2. Relationship of pupil's home to his school. The distances involved must be known if the estimate of transportation needs is to be accurate. A map containing a precise scale (in terms of distance), may be utilized for this purpose.

3. Grade levels of pupils. This information may be obtained from the school census or the administrative staff. Many school policies set shorter walking distance limits for younger children.

4. Number of preschool children. This information will allow the transportation people to plan for future transportation needs. This information is usually available from the school census.

5. Conditions of roads in the district. The transportation system must operate on roads that are safe and usable year round. The terrain of the district should also be considered since it may affect the economics of bus operations. This information may be obtained from highway departments and local and state traffic engineering departments.

6. Traffic and other walking hazards. These hazards may include rush hour traffic, inclement weather conditions, high accident locations, etc. In some areas, such hazards cause students who would normally walk to be transported. Other areas solve these problems by constructing more efficient sidewalks, drainage, or additional traffic control devices. These alternatives should be explored. The traffic engineering agencies, highway departmen planning agencies, police precincts, and conduct of on-the-spot investigations are recommended sources of information.

7. Attitudes of parents. The expectations and viewpoints of the parents of the students should be actively solicited in reference to such issues as: bus stop locations, walking distance, and time spent on a bus. Their views should have an impact on the school policy and the standards which it will set. In some areas, the school principals and PTAs are familiar with the parental attitudes and can provide this type of information. Other areas utilize questionnaires or meetings with parents to obtain their views. The level of service desired by parents can be provided only when financial support is adequate and available.

8. Student health factors. This information is needed to determine the extent of special education transportation required. This information may be obtained from school medical records or lists may be prepared by the principals of each school or by the parents of the students.

9. Funds available for school transportation purposes. Not only should the current budget be examined, but also future budgets and other sources of income should be taken into consideration.

10. Approximate number of routes required. The following formula should assist in providing the necessary information:

Step 1. Find the total number of children to be transported.

Step 2. Find the average number of seats available per bus in the fi

Step 3. Divide the number of children to be transported by the average number of seats per bus in the fleet.[1]

1. The number derived from this equation will be the approximate number of routes which the present bus fleet can accommodate. (Remember that the above number of routes is approximate. The exact number of routes will be determined in Task 5.)

OBJECTIVE

TASK 2 - Preparation of School District Map

The single most important tool utilized in transportation planning is an adequate map of the school district. The objective of preparing the map should be to display pictorially the information obtained in the transportation needs survey upon which the planning process is based. This map will be used to plot residences, bus stops, bus routes, and hazards as well as to aid in the establishment of bus routes and schedules.

Map Requirements

1. The map must be current.
2. The map must be to scale.
3. The scale should be large, generally 2 to 8 inches per mile, depending upon the type of district one is dealing with. Two inches to the mile may be sufficient in sparsely populated areas; however, 8 inches per mile would be more appropriate in densely populated areas.
4. The map must indicate all major manmade and natural physical features, including planned as well as present features.
5. All roads should be clearly identified.
6. District boundaries and school boundaries should be delineated on the map.
7. Houses and addresses may be added if desired.

TASK 3
Determination of Hazards

Objective

Safety is said to be a judgmental phenomenon. However, there are certain elements or trouble areas which seem common to situations many school transportation people consider hazardous. Since the safety of our children is of the utmost priority in transportation planning, one must consider many elements of the streets on which the children walk either to school or to a bus stop.

Before one can actually route a bus or establish bus stops or even establish a comprehensive school policy, it is important that one be aware of the existing hazards and potential hazards which may develop as the school year progresses.

The objective of this task is to determine and locate the potential pedestrian and vehicular hazards which pose threats to school age pedestrians and/or school busses.

TASK 4
Development of Criteria for Routes and Schedules

Objective

The objective of this task is to establish criteria which will guide the school transportation planners in developing safe routes and efficient schedules.

TASK 5
Development of Routes And Schedules

Objectives

The objective of this task is to develop workable routes and schedules which are safe and efficient as well as economical.

Routing and scheduling involves selecting the type of route, the type of service, creating bus stops, assigning busses to routes, assigning students to busses, and assigning drivers to busses.

Types of Routes

School officials responsible for routing and scheduling should be familiar with the various route types currently in use. These routes types may be used individually or in combination, depending on local conditions.

1. Circular Route- This is a main route which circumscribes an area by using different roads to complete a round trip. The circular route has the advantage of equalizing the time which students spend on the bus. This will occur when the bus travels in the same direction on each trip so that the first child on in the morning is the first child off at night. The major disadvantage of this route type is excessive exposure for the first students on the bus who travel away from their destination half of the time.

2. Spoke or Shoestring Route- This is the main route which extends from the school to some terminal point in the district. If the bus is stored at the school, the same road or roads are used on the outgoing and incoming trips. On this type of route, children travel more or less directly toward the school, whereas on a circular route, the first children to board may be transported via an indirect route. The shoestring route is frequently used where the routes are so long that it would be impractical to return the busses to the school each night. Using busses in this manner helps to keep mileage to a minimum.

In order that this type of route be most effective, the driver should live at or near the point at which the service begins or ends.

3. Trunk and Feeder Route- This is a route which provides for cars or small busses to collect children on minor roads in sparsely settled areas and bring them to main roads to meet a regular school bus. This type of route is necessary where the population is sparse and distance between students is great.

TASK 6
Evaluation of Routing and Scheduling

An evaluation is necessary to determine the quality of the school transportation program. This procedure will assist school officials in judging the degree to which their service meets the objectives of safety, efficiency, and economy. An evaluation is also helpful in identifying and correcting any deficiencies within the system. Transportation officials should always be checking for areas that might be improved in order that maximum safety, efficiency, and economy may be provided throughout the system. This evaluation assumes that all of the legal requirements which district transportation must meet have been met and that the laws and regulations affecting pupil transportation have been drafte to ensure adequate minimum standards of service.

Objective

The objective of this evaluation is to assess the ways in which the standards of transportation service have been met and to reveal the areas of school transportation service where improvement may be warranted.

TASK 7
Modification of Routing and Scheduling

A major task of the school administrator in most school districts is to analyze, create, or change bus routes annually. This routing is usually handled by the transportation supervisor. Minor changes in a route can sometimes be made in minutes but frequently one or more entirely new routes must be worked out. This can involve many hours spent planning each new route when all safety factors and scheduling problems are considered. All too often, because of inexperience, lack of knowledge, or lack of time, routes have been patched, modified or otherwise altered to the point that children are exposed to unreasonable conditions. Unless all routes are systematically reworked periodically, they become unbalanced in length, time, and miles as well as in terms of the number of children transported. Inefficient and unsafe operation is the certain result of not considering all factors that must be checked in planning good route design.

Changes in our environment are constantly occurring: new housing complexes are opening daily, new subdivisions are growing, towns are being consolidated, roads are expanding, more vehicles are using the roads, etc. A route which is well planned and extremely safe in all respects at the beginning of the school year may not be as safe after four months of school. Therefore, the safety factors involved throughout the transportation program need constant review.

Objective

The objectives of modifying routes and schedules is to establish procedures which may be followed in order to make existing bus routes safer, more efficient, and more effect This objective includes the addition of new routes where necessary.

Travel Time

In planning routes and instructional schedules, it should be recognized that the school day starts when pupils enter the bus in the morning and ends when they leave the bus in the afternoon. When added to the time required by the instructional program, the time spent in travel should not result in a day of such length that the child's health is adversely affected. The time spent in walking to and from the bus stop should also be considered.

To fix accurately the time schedules of stops of a school bus along the route determined, a trial run of the route has been found helpful. A school bus not only travels at a relatively low rate of speed but also makes frequent stops to load or discharge pupils. Consequently, the number of miles traveled in an hour is less than in vehicles not required to make regular stops. A national survey made revealed that 49 minutes was required to cover an average bus route 11.9 miles long. An excellent formula for estimating time is as follows:

- Travel time equals one-way mileage from the first pickup times two, plus stops, divided by two. The resulting factor is in minutes.

- Correction factors:

  - Minutes for each traffic light
  - In hill country, add five minutes for curves
  - Where multiple pickups are used, count each one as three.

TIME REQUIRED TO APPLY BRAKES
WHEN DO YOU BEGIN TO STOP?

The average person takes about three-quarters of a second to apply the foot brake after perceiving an emergency. The diagram below shows how far your car goes in that three-quarters of a second at various speeds.



Auto travels 22 feet in ¾ of a second at 20 miles an hour



Auto travels 33 feet in ¾ of a second at 30 miles an hour



Auto travels 44 feet in ¾ of a second at 40 miles an hour

You may see a pedestrian in your path. You continue to roll along before your brake pedal can be pushed down. Then you begin to stop.

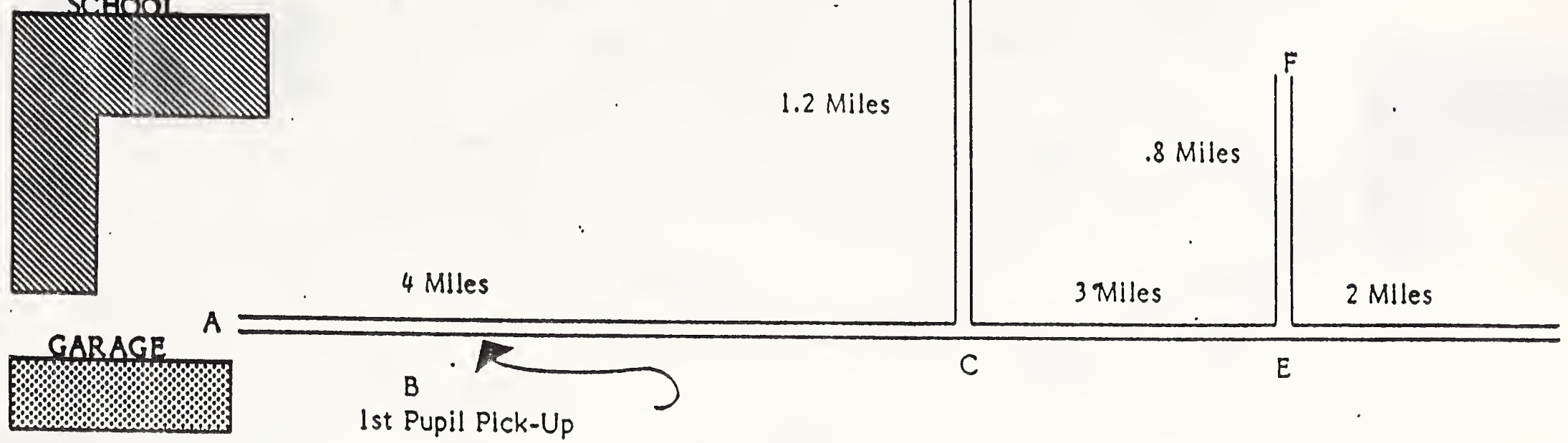
WATCH! AND BE READY TO STOP

SPEED CONVERSION TABLE
Showing Distances in Feet Per Second Corresponding to Speeds in Miles Per Hour

5	mi.	per	hr.	=	7	feet	per	sec.
10	"	"	"	=	15	"	"	"
15	"	"	"	=	22	"	"	"
20	"	"	"	=	29	"	"	"
25	"	"	"	=	37	"	"	"
30	"	"	"	=	44	"	"	"
35	"	"	"	=	51	"	"	"
40	"	"	"	=	59	"	"	"
45	"	"	"	=	66	"	"	"
50	"	"	"	=	73	"	"	"
55	"	"	"	=	81	"	"	"
60	"	"	"	=	88	"	"	"
65	"	"	"	=	95	"	"	"
70	"	"	"	=	103	"	"	"
75	"	"	"	=	110	"	"	"
80	"	"	"	=	117	"	"	"

SHOESTRING

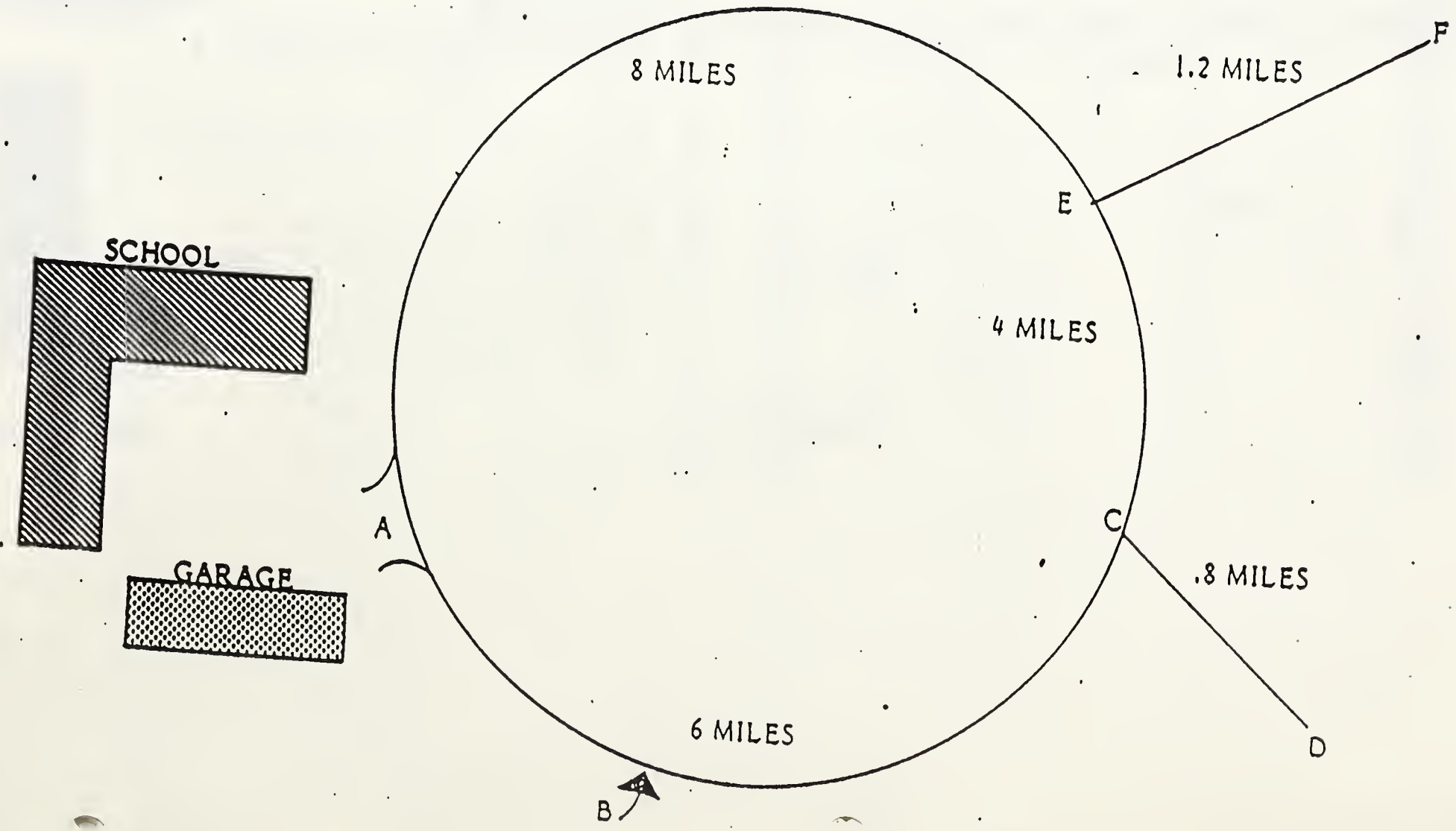
EXAMPLE I



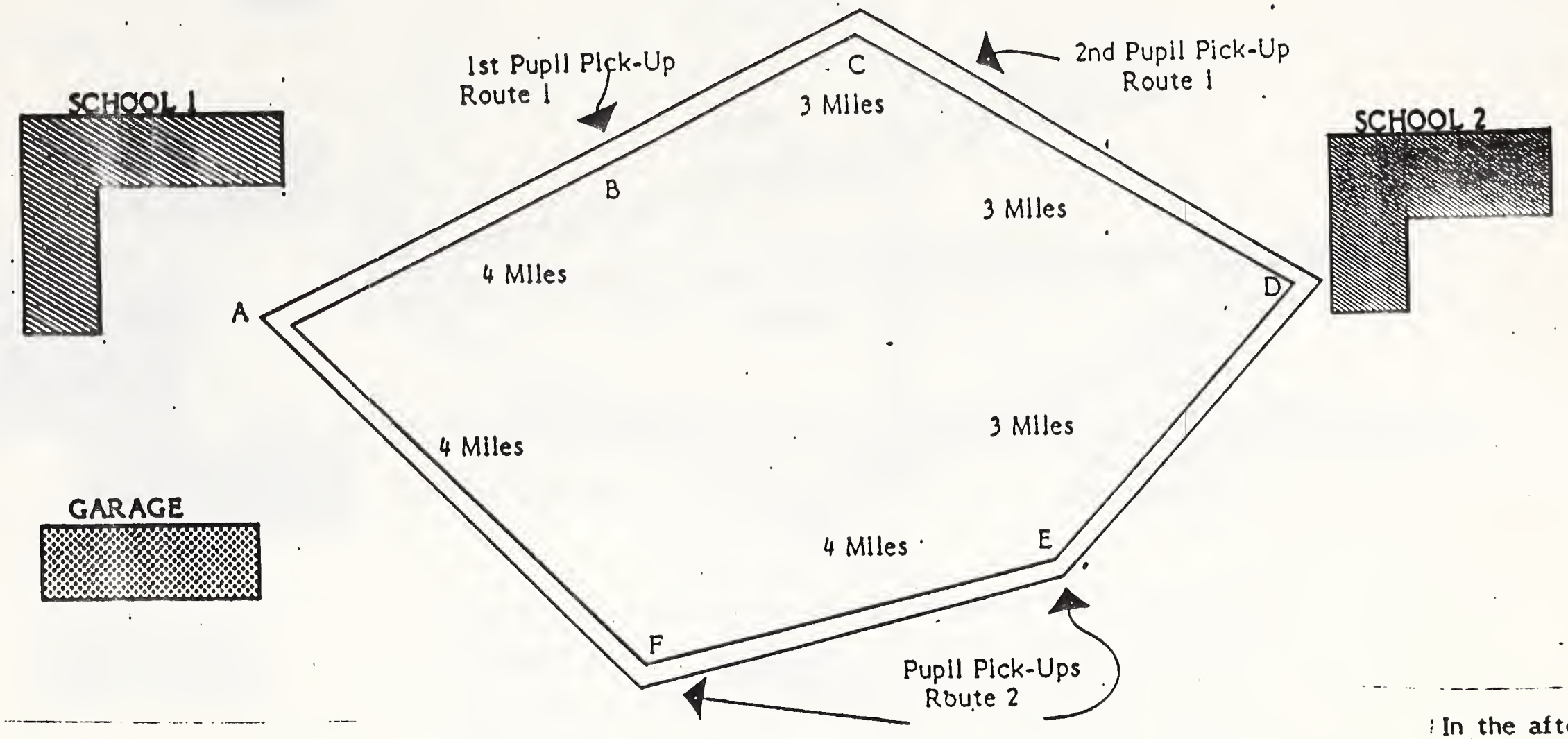
A shoestring route is a main or trunk route which extends from the school to some terminal point out in the district. If the bus is stored at the school, the same road or roads are used on the outgoing and incoming trips. On a shoestring route, the children travel more or less directly toward the school, whereas on a circular route, the first child to board the bus may be transported over a very indirect route.

A circular route is a main or trunk route which circumscribes an area by using different roads on the outgoing and incoming trips. On a given trip, none of the mileage is covered in both directions. The circular route has the advantage of equalizing the time which pupils spend on the bus. This is accomplished if the bus travels in the same direction on each trip so that the first child on in the morning is the first off at night.

EXAMPLE II



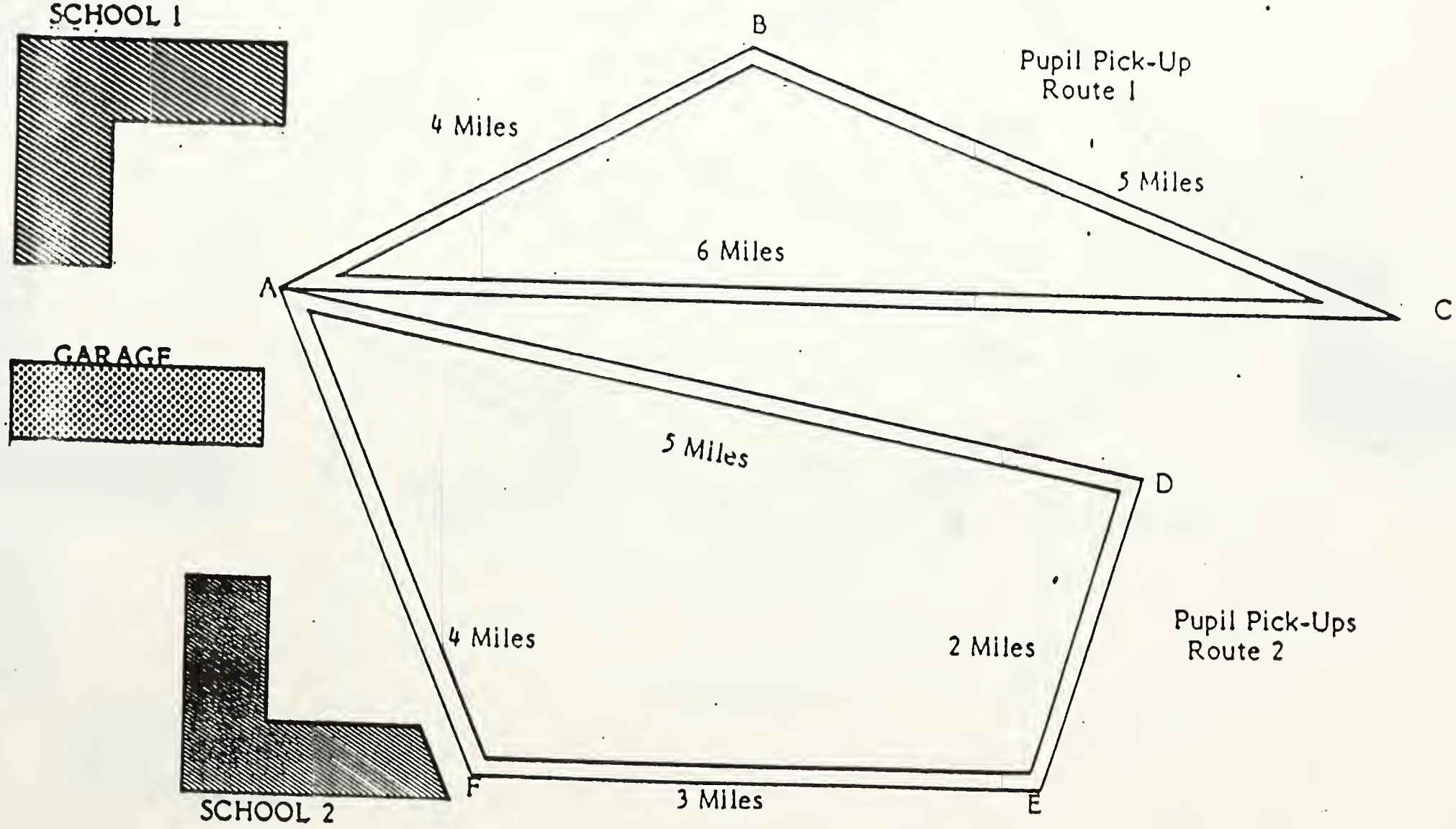
EXAMPLE III



The multiple trip plan, also known as dual routing, calls for two or more morning trips and two or more afternoon trips over the same route by each bus. This arrangement is feasible only where route distances are relatively short. High school pupils may be brought to school on the first morning trip with elementary children arriving on the second trip.

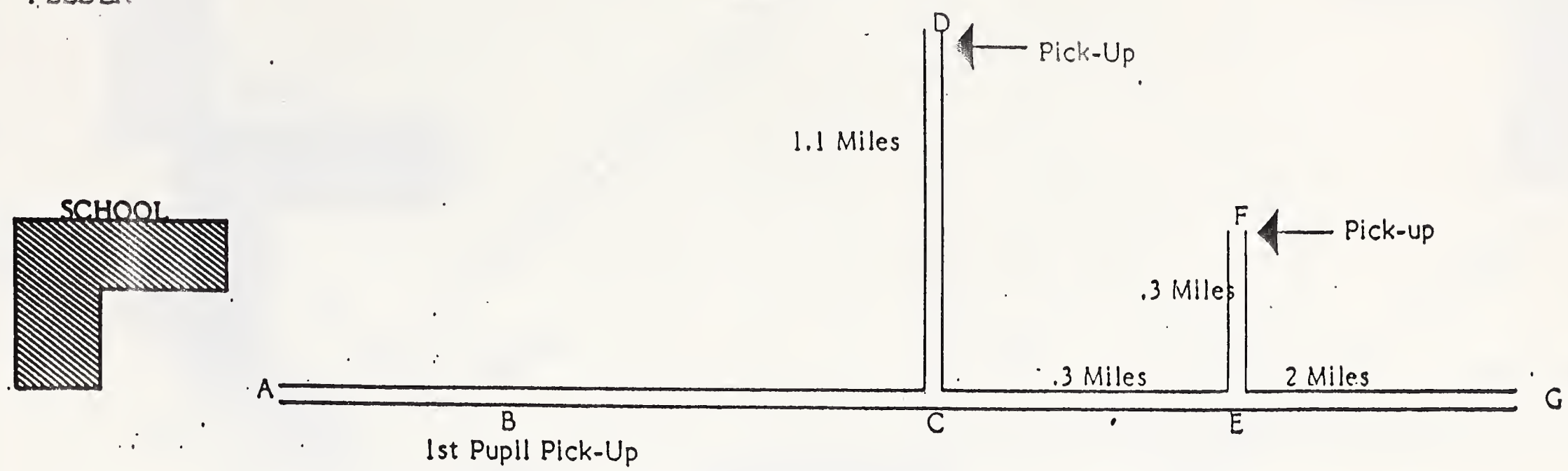
In the afternoon the elementary children may be scheduled to leave on the first trip if it is desirable that the elementary day be shorter than the high school day. Districts whose program requires a day of equal length for both groups may transport the high school pupils on the first trip in the morning and return them on

EXAMPLE IV



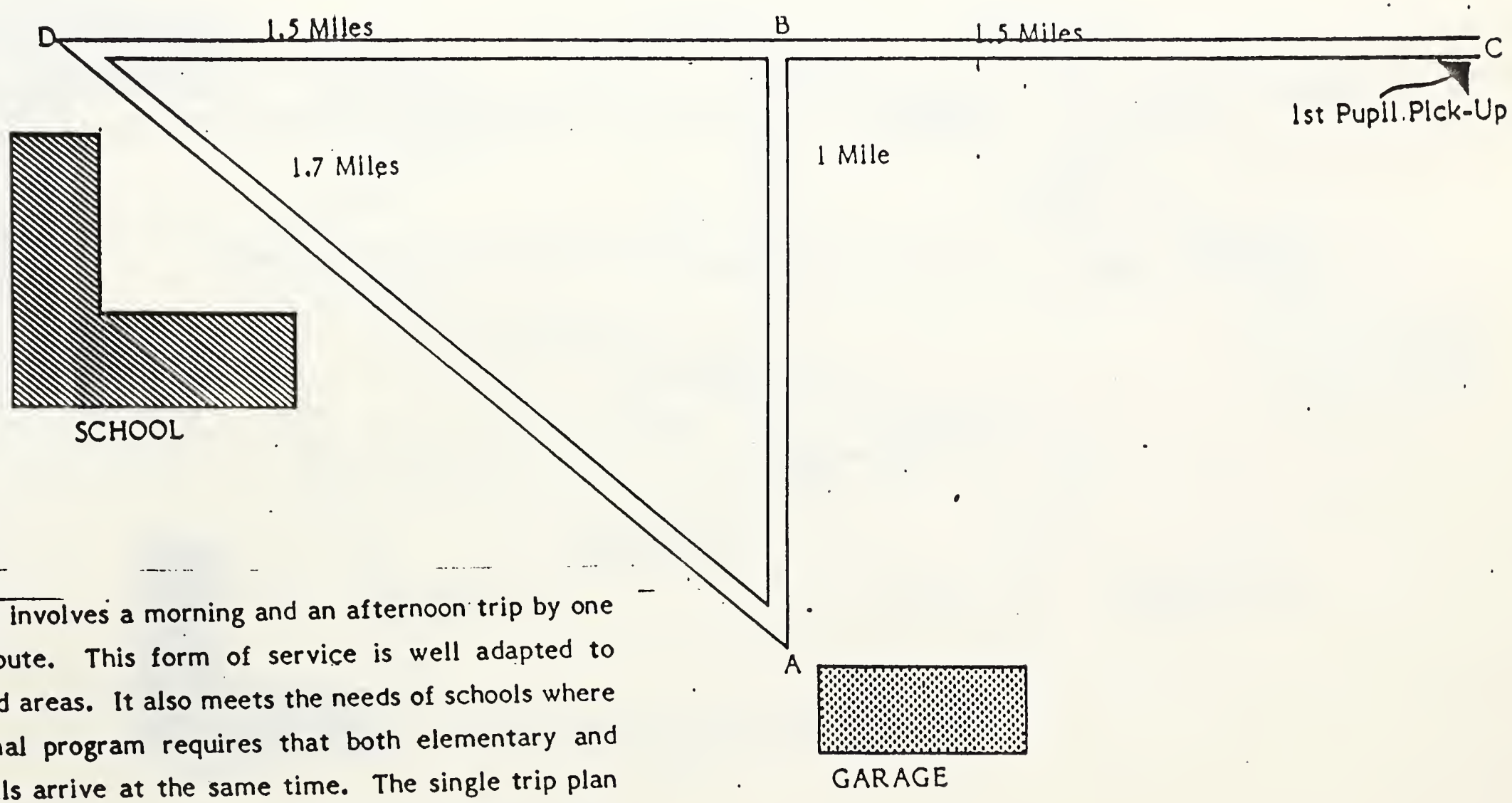
TWO INDIVIDUAL ROUTES

EXAMPLE V



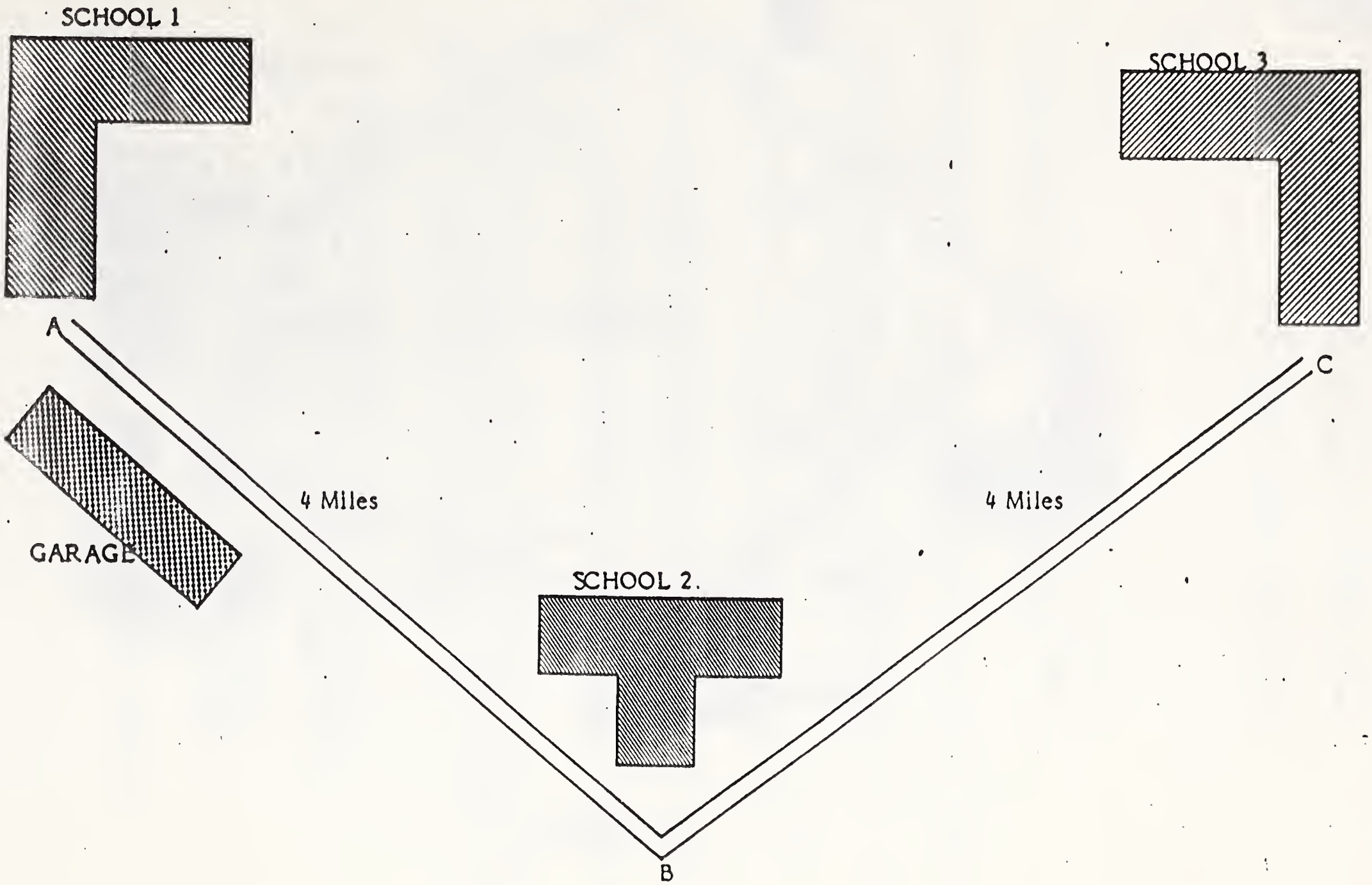
A feeder route extends from some transfer point on the main route farther out in the district. The use of a feeder route may be advisable for one or more of the following reasons: (1) to limit the use of large buses to improved roads, (2) to reduce travel time on the main route, or (3) to provide horse-drawn conveyances on roads which at times may be impassable to motor vehicles.

EXAMPLE VI



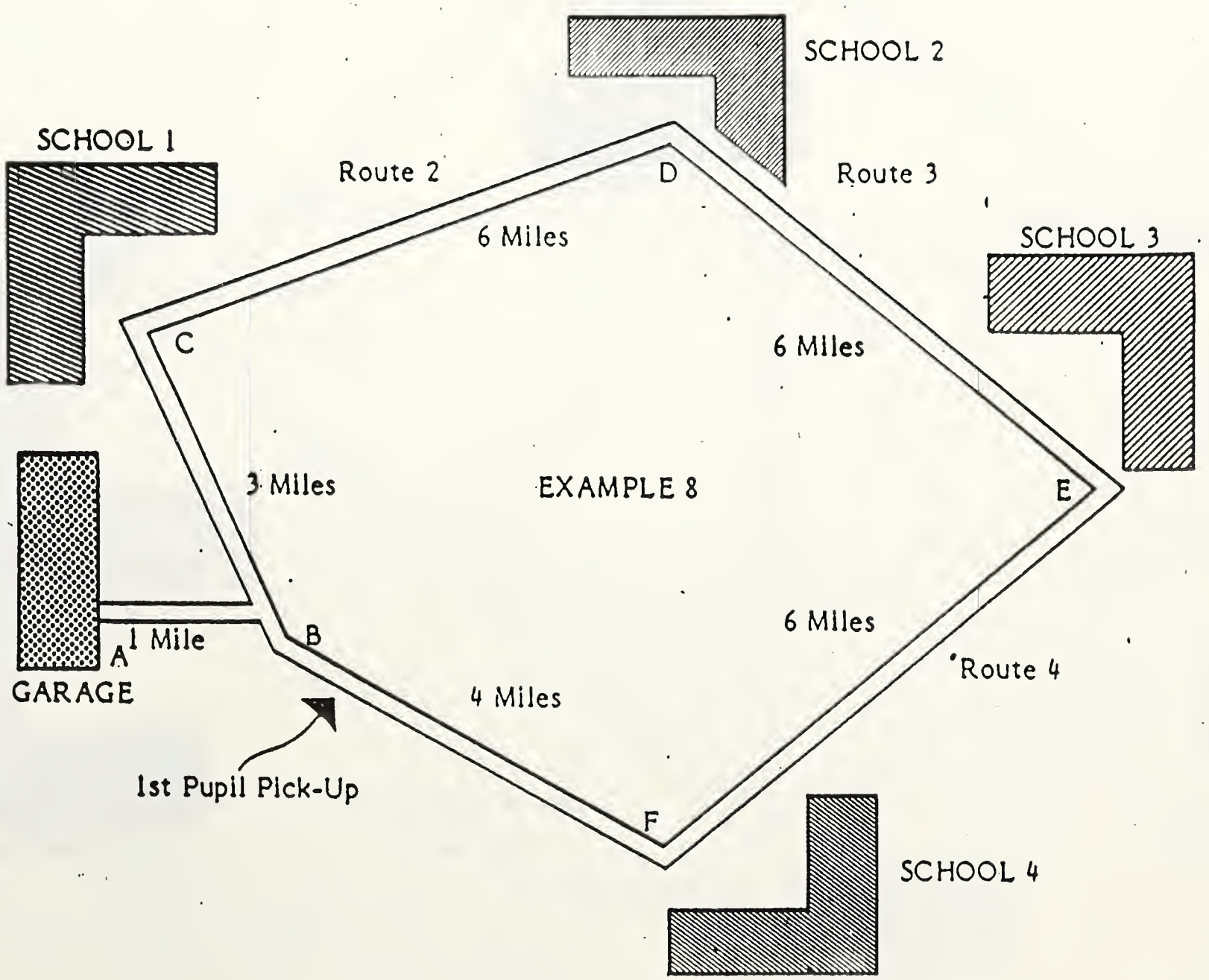
The single trip involves a morning and an afternoon trip by one bus on each route. This form of service is well adapted to sparsely settled areas. It also meets the needs of schools where the instructional program requires that both elementary and secondary pupils arrive at the same time. The single trip plan requires a maximum number of buses and drivers as each route is covered but once and each bus serves but one route.

EXAMPLE VII



A "CONTINUOUS" TRIP

EXAMPLE VIII



A shuttle route extends between two or more school buildings. Routes of this type are often required for the transfer of pupils in districts operating two or more schools.

The Commonwealth of Massachusetts
Department of Education
31 St. James Avenue, Boston 02116

BUREAU OF
MANAGEMENT SERVICES
LEO P. TURO D. ED. R.S.B.O.
DIRECTOR

SUBJECT: Suggested Guidelines for the Use of Parent-Arranged Transportation of Pupils to and from School

The following are suggested Guidelines to be used as an advisory to school systems in the use of parent-arranged transportation:

1. Establish the requirement and need to transport pupils to and from school, including shuttle routes and feeder routes to other transportation services.

2. Review state statutes and policies relative to transportation of pupils.

3. Exhaust all municipally and regionally-owned services, contractual services and public utility services available.

4. After a reasonable check of existing transportation has been made, alternatives such as parent-arranged pupil transportation should be explored.

5. Draw up a legal document, properly reviewed by your Legal Department, to be used as an agreement between the school department and the parent of the pupil, agreeing to transport his child or other children to and from school. The parent should be:

   A. A properly licensed driver;
   B. The owner of the vehicle which he will use to transport the child or children, which vehicle should be properly maintained and inspected by the Registry of Motor Vehicles;
   C. Using a vehicle which is properly insured to carry his own child, as well as other children, for compensation. A certificate of insurance should be required.

6. The rate at which the parent will be compensated should be determined by the school administration.

7. The agreement should be subject to revocation due to improper or non-performance.

8. The agreement should specify type of services, such as Regular Day, Special Needs or Occupational Education.

9. The agreement should also include any other specifications as the school administrator deems necessary to consummate the agreement.

The Commonwealth of Massachusetts
Department of Education

1385 Hancock Street, Quincy, Massachusetts 02169

August 25, 1986

Dr. John W. Rogers
Superintendent of Schools
Rockland Public Schools
Rockland, MA 02370

Re: Pupil Transportation

Dear Superintendent Rogers:

Leo Turo has asked me to respond to your August 12th letter to him, in which you asked several questions about Chapter 246 of the Acts of 1986. This statute, a copy of which you already have, amends G.L. c.90, §7B to require that "all pupils transported in a school bus shall receive classroom instruction in safe riding practices at least three times" during specified periods of each school year. It also requires pupils to participate at least twice in on-bus emergency evacuation drills during each school year.

Your first question is whether the new law applies only to students transported to and from school, as opposed to students who use the school bus solely for transportation to and from athletic events and field trips. Second, you asked whether it applies to pupils attending parochial schools who are transported by the public schools, and if so, who is responsible to see that they receive appropriate instruction.

Chapter 246 simply amends the pre-existing subsection (15) of G.L. c.90, §7B, which dates back to 1975. The only significant change as a result of the amendment is that the previously required classroom instruction in safe riding practices must be conducted three times during the school year. The basic requirement of classroom instruction and evacuation drills is not new. Accordingly, your questions could pertain equally to the school bus safety instruction requirement in effect in prior school years.

My answers to your questions are based on G.L. c.90, §1, which provides the following definitions:

> 'School bus', any motor vehicle used for the transportation of school pupils and school personnel to and from school or for the transportation of children enrolled in a camp or recreational program, while so used, but not including any such motor vehicle used for not more than five days in case of emergency or a motor vehicle while also used for the common

> carriage of the public under a certificate and permit issued under sections seven and eight of chapter one hundred and fifty-nine A, or a motor vehicle having permanent seating accommodations for and carrying not more than eight persons in addition to the operator, or a motor vehicle used to transport vocational students participating in a work project to and from a work site and having permanent seating accommodations for not more than fourteen persons in addition to the operator.
>
> 'School pupil', any person enrolled in any school, kindergarten through grade twelve, or enrolled in any program for day care services, or any program for children with special needs as defined in section one of chapter seventy-one B, or in any organized day or summer camp program or any activity supported by said schools.

Based on these definitions, I would answer your questions as follows:

(1) The law applies to all pupils transported in a "school bus", which, with the exceptions noted in the definition, is a vehicle that transports pupils "to and from school." In light of the purpose of the legislation (to assure the safety of pupils who ride school buses) it would be prudent to provide safety instruction and emergency evacuation drills to all pupils who ride school buses, even if some of them use buses only to ride to school-sponsored athletic events or field trips.

(2) The law applies to pupils in any school, public, private or parochial, as long as they fit under the definition of "school pupil." The law is stated in the passive voice ("each pupil . . . shall receive classroom instruction . . . ") rather than the active voice, so the responsible agency in the case of non-public school pupils is unclear. However, since the instruction is supposed to be "classroom instruction," and public schools cannot provide classroom instruction on private or parochial school premises, I conclude that the private or parochial school is responsible for seeing to it that pupils within its jurisdiction receive the necessary safety instruction.

I hope this information is helpful to you.

Sincerely,

Rhoda E. Schneider

Rhoda E. Schneider
General Counsel

RES/kal
cc: Leo Turo
Curt Hall

The Commonwealth of Massachusetts
Department of Education

1385 Hancock Street, Quincy, Massachusetts 02169

MEMORANDUM

FROM: Dr. Leo P. Turo, Director
Bureau of School Management Services

SUBJECT: Transportation Appeal Process, under G.L. c.71, s.68

DATE: September 2, 1986

Chapter 71, Section 68 of the Massachusetts General Laws reads in part as follows:

> **...If the distance between a child's residence and the school he is entitled to attend exceeds two miles and the nearest school bus stop is more than one mile from such residence and the school committee declines to furnish transportation, the department, upon appeal of the parent or guardian of the child, may require the town to furnish the same for a part or for all of the distance between such residence...No school committee shall be compelled to furnish transportation on a private way...**

The following is the procedure used by the Department of Education when the parent or guardian of a child attending public school appeals a denial of transportation by the school committee:

1. Considerations in Reviewing s.68 Appeals

   a. Is the distance from the child's home to the school he/she is entitled to attend more than two miles as measured over a public way? Scheduling and routing of vehicles is not a consideration. (Note: A public way may be established by various mechanisms, but in all cases its safety is monitored and maintained by the municipality.)

   b. Is the location of the nearest school bus stop more than one mile from the child's home?

   c. Hazardous conditions and the safety of children traveling to and from school are of major concern to the Department of Education. However, the determination of a hazardous condition is a local prerogative. The Department encourages school districts to enlist the aid of local police and/or the Safety Officer in determining whether or not a situation may be hazardous. The issue of hazardous conditions is not addressed in Chapter 71, Section 68.

2. Procedural Steps

a. Parent or guardian of the child requests the school committee to furnish transportation to and from public school he/she is entitled to attend.

1) Child is entitled to transportation if distance between residence and school of attendance is two or more miles.

2) Local school committee should develop - and update yearly - transportation policy in order to ascertain eligibility for ridership.

b. If the school committee declines to furnish transportation, the parent or guardian may appeal in writing to the Department of Education in accordance with the provisions of Chapter 71, Section 68.

c. Upon receipt of written appeal from the parent or guardian, the Commissioner of Education will assign staff to investigate the situation.

d. Working on site with assistance of local school administration, local police, local Public Works Deparment, and other individuals as needed, Department staff will investigate issues.

e. Findings and recommendations of site visit by Department staff will be reported to Department legal counsel.

f. Recommendations will be forwarded to Commissioner of Education for review.

g. Upon review of recommendations and facts of each case, the Commissioner may require school committee to furnish transportation, or may deny appeal and decline to overrule school committee.

h. Commissioner sends letter to parent or guardian and to superintendent of schools notifying them of decision.

/lf

B. **Other State and Federal Agencies**

1. Application for School Bus Operator's License

    a. Registry of Motor Vehicles
    b. Department of Public Utilities

2. Renewal Application for School Bus Operator's License

    a. Registry of Motor Vehicles
    b. Department of Public Utilities

3. Operator's Report of Motor Vehicle Accident

4. School Bus Inspection Report

5. Department of Labor and Industries -- Procedural Steps for Establishing School Bus Operator Rates -- Chapter 71, Section 7A

6. Text of Standard 17

REGISTRY OF MOTOR VEHICLES
DRIVER LICENSING SECTION
100 Nashua Street, Boston, Massachusetts

COMMONWEALTH OF MASSACHUSETTS

APPLICATION FOR SCHOOL BUS OPERATOR'S LICENSE $_____

Application must be completed in ink
(Please print or by typewriter)

APPROVED _____
NOT APPROVED _____

ATTENTION: BEFORE YOUR APPLICATION FOR A SCHOOL BUS OPERATOR'S LICENSE WILL BE ACCEPTED, YOU MUST HAVE:

1. Either a Class 1 or Class 2 Massachusetts Operator's License OR
2. A Massachusetts Operator's License other than Class 1 or Class 2
   (For further details & test requirements see "Driver's License Manual" (Classified Red Book)
   AND ALSO
   (a) A Class 1 Massachusetts Learner's Permit OR
   (b) A Class 2 Massachusetts Learner's Permit

ALL QUESTIONS MUST BE ANSWERED. INDICATE "YES" or "NO" by MARKING "X" ON THE LINE IN THE PROPER COLUMN. (When necessary give details on other side of sheet.)

1. NAME _____
   Address _____ City _____
   State _____ Zip Code _____ Phone _____ Area Code _____
2. DATE OF BIRTH _____ Color of Eyes _____ Color of Hair _____
   Height _____ Weight _____ Sex _____ Birthplace _____
   Father's name _____ Mother's Maiden Name _____
3. LICENSE NUMBER _____ Class _____ Issued _____ Expires _____
4. LEARNER'S PERMIT NUMBER _____ Class _____ Issued _____ Expires _____

	YES	NO
5. Have you been the holder of a Mass. Motor Vehicle Operator's License for three (3) or more continuous years prior to this application? (If your answer is "NO" to this question, please answer question #16)		
6. Were you at least 18 years of age on your last birthday?		
7. Were you LESS than seventy (70) years of age on your last birthday?		
8. Have you held a Mass. SCHOOL BUS OPERATOR'S LICENSE previously? (Not a D. P. U. Lic.)		
a. If so, fill in: DATE OF ISSUE _____		
b. If the last Massachusetts SCHOOL BUS OPERATOR'S LICENSE you held was issued MORE than four (4) years ago, place an "X" in the "NO" Column		
9. Do you NOW hold either a VALID Class 1 or Class 2 Mass. Operator's License?		

FEES

10. ORIGINAL SCHOOL BUS OPERATOR'S LICENSE OR RENEWAL OF LICENSE WHICH HAS EXPIRED MORE THAN THREE (3) YEARS: Examination: $5.00 Fee for License $7.50
    TOTAL: $12.50
11. RENEWAL OF SCHOOL BUS OPERATOR'S LICENSE WHICH HAS NOT EXPIRED FOR MORE THAN THREE (3) YEARS: TOTAL: $7.50

****

NOTE: DO NOT MAIL CASH
Attach Check or Money Order to completed application and Medical Report and mail to: REGISTRY OF MOTOR VEHICLES, 100 Nashua Street, Boston, Massachusetts 02114
ATTENTION: DRIVER LICENSING SECTION. All future inquires or correspondence should be mailed to this address.
APPLICANTS MUST SUBMIT TO A PHYSICAL EXAMINATION BEFORE A LICENSED PHYSICIAN WITHIN THREE (3) MONTHS OF THE DATE OF APPLICATION.
PHYSICIAN MUST COMPLETE FORM "MP-DL 95" (Last page of application)
DEPARTMENT OF PUBLIC UTILITIES MEDICAL REPORT FORMS WILL NOT BE ACCEPTED.

INDICATE "YES" or "NO" BY PLACING AN "X" ON THE LINE IN THE PROPER COLUMN - GIVE ADDITIONAL INFORMATION OTHER SIDE WHEN NECESSARY, UNLESS OTHERWISE INSTRUCTED.

YES

10. Has your application for a SCHOOL BUS OPERATOR'S LICENSE EVER BEEN REJECTED.....
If "YES": DATE_____ REASON:_____

11. Is your RIGHT TO OPERATE or MASS. OPERATOR'S LICENSE or MASS. LEARNER'S PERMIT under Suspension or Revocation AT THIS TIME?.....
If "YES" give all details on other side.

12. HAVE YOU EVER BEEN TREATED FOR:
(If answer to "A, B, C or D" is "YES" have your Doctor note same on the Medical Report Form or by separate letter, evaluating the condition and stating whether or not the condition would interfere with the proper operation of a School Bus.)
A. Any Mental Disorder?.....
B. Any Heart Disorder?.....
C. Epilepsy or Fainting Spells?.....
D. Have you any other physical disability?.....
DESCRIBE OTHER DISABILITY:_____

13. Have you EVER been CHARGED WITH or CONVICTED of ANY CRIME (Including Motor Vehicle violations), or have you any charges PENDING against you in any COURT?.....
If "YES", give DATE_____ CHARGE_____ COURT_____

14. Has your registration certificate or operator's license ever been suspended or revoked or has your right to operate ever been suspended or revoked?.....
If "YES", give DATE_____ JURISDICTION (STATE), REASON and DATE OF REINSTATEMENT on other side.

15. Have you been involved in any motor vehicle accident causing property damage or personal injury during the past two (2) years which you did not report previously on your SCHOOL BUS OPERATOR'S LICENSE APPLICATION?.....
If "YES", attach a photostatic copy of the report on file with the POLICE or secure a blank copy of "OPERATOR'S REPORT OF MOTOR VEHICLE TRAFFIC ACCIDENT" at any Police or Registry Office, fill it out and attach it to this application.

6. Have you EVER held an Operator's License in another STATE or COUNTRY?.....
PLACE:_____ APPROXIMATE DATE:_____
PLACE:_____ APPROXIMATE DATE:_____
(Use other side of this page if necessary.) IF YOU ARE APPLYING FOR YOUR FIRST SCHOOL BUS OPERATOR'S LICENSE IN MASSACHUSETTS, you must write to the MOTOR VEHICLE DEPARTMENT and to THE AGENCY WHICH KEEPS THE COURT RECORDS of any and all STATES OR COUNTRIES in which you previously held an OPERATOR'S LICENSE, requesting that your RECORD, if any, be mailed directly to: REGISTRY OF MOTOR VEHICLES, 100 Nashua Street, Boston, Massachusetts 02114, ATTENTION: DRIVER LICENSING SECTION. In your letter be sure to give the name and address at the time you held the license, your date of birth, names of parents and, if you know, the license number and date of issue. THE PROCESSING OF YOUR APPLICATION WILL BE DELAYED UNTIL SUCH TIME AS THESE RECORDS ARE RECEIVED IN THIS OFFICE.

. PLACE OF EMPLOYMENT_____ Telephone Number_____
ADDRESS_____

ıereby swear or affirm that I am the applicant for a SCHOOL BUS OPERATOR'S LICENSE d that the information contained herein is true.

_____ DATE_____
SIGNATURE

.LSE STATEMENTS ARE PUNISHABLE BY FINE. IMPRISONMENT OR BOTH (CHAP. 90, SEC. 24)

COMMONWEALTH OF MASSACHUSETTS
REGISTRY OF MOTOR VEHICLES
DRIVER LICENSING SECTION
100 Nashua Street
Boston, Mass. 02114 MP-DL-95

PHYSICAL EXAMINATION OF APPLICANT FOR SCHOOL BUS OPERATOR'S LICENSE

* * *

EXAMINATION MUST BE CONDUCTED WITHIN THREE (3) MONTHS OF DATE OF THE APPLICATION

MUST BE COMPLETED IN INK (PLEASE PRINT) OR BY TYPEWRITER

DATE _____

NAME _____ (Last) _____ (First) _____ (Middle)

PRESENT ADDRESS _____ (Number) _____ (Street) _____ (City) _____ (State)

SOCIAL SECURITY ACCT NO.: _____ Month: _____ Day _____ Year: _____ AGE: _____ _____ (Date of Birth) (Place of Birth)

HEALTH HISTORY

Are you subject to: BLACKOUTS, FAINTING SPELLS, LOSS OF CONSCIOUSNESS OR MUSCULAR CONTROL? Yes ☐ No ☐

IF SO, PLEASE EXPLAIN: _____

YES	NO		YES	NO		YES	NO	
☐	☐	Head or spinal injuries (severe)	☐	☐	Syphilis	☐	☐	Kidney disease
☐	☐	Convulsions (fits, epilepsy)	☐	☐	Gonorrhea	☐	☐	Suffering from incurable disease
☐	☐	Encephalitis (sleeping sickness)	☐	☐	Diabetes			
☐	☐	Ever confined as chronic invalid	☐	☐	Stomach ulcer	☐	☐	Permanent defect as result of disease or accident
☐	☐	Heart disease	☐	☐	Rheumatic fever			
☐	☐	Tuberculosis	☐	☐	Asthma			

PHYSICAL EXAMINATION

Please fill in readings or findings for each item, especially those items, "BOXED" . . . .
(See Other Side for *Minimum* physical qualifications and other requirements)

General Appearance and Development: GOOD _____ FAIR _____ POOR _____

HEIGHT _____ WEIGHT _____

PLEASE CHECK ONE:

HEAD: ☐ (Without glasses) ☐ (With glasses, if worn)

EYES: For Distance: Right 20/ _____ Left 20/ _____ Both 20/ _____

Evidence of disease or injury: Right _____ Left _____

Color Vision _____ Horizontal field of vision (in degrees only): Right ° _____ Left ° _____

Ears: Hearing, 20 ft. (without hearing aid) Right ear _____ /20 Left ear _____ /20

Disease or injury _____

Mouth _____ Throat _____

THORAX:

Heart _____

If organic disease is present, is it fully compensated? _____

Blood pressure (sitting): Systolic reading _____ Diastolic reading _____

Pulse: Before exercise _____ Two minutes' rest after exercise _____

Lungs: _____

Abdomen:

Scars _____ Abnormal masses _____ Tenderness _____

Hernia: Yes _____ No _____ If so, where? _____ Is truss worn? _____

Genito-Urinary:

Scars _____ Urethral discharge _____

Reflexes: _____

Rhomberg _____

Pupillary _____ Light R _____ L _____ Accommodation R _____ L _____

Knee Jerks: Right: Normal _____ Increased _____ Absent _____

Left: Normal _____ Increased _____ Absent _____

Extremities:

Upper _____

Lower _____

Spine _____

LABORATORY FINDINGS: (Required when necessary to complete Physician's diagnosis of certain conditions)

Urine: Spec. Gr. _____ Alb _____ Sugar _____

Blood serology _____

Chest X-ray _____

* * *

I HEREBY CERTIFY THAT MY EXAMINATION OF THE APPLICANT DISCLOSES NO PHYSICAL DISABILITY, DEFECT, IMPAIRMENT OR LIMITATION WHICH WOULD INTERFERE WITH THE PROPER OPERATION OF A SCHOOL BUS.

DATE EXAMINED

_____
SIGNATURE OF EXAMINING DOCTOR

_____
ADDRESS

GENERAL INSTRUCTIONS FOR MAKING PHYSICAL EXAMINATION AND RECORDING FINDINGS

Be sure to record an answer to each question.
When negative or positive, so state.

MEDICAL HISTORY

The purpose of this physical examination is to detect the presence of physical and mental defects of such a character and extent as to affect the applicant's ability to operate safely a school bus. The examination should be made carefully and at least as complete as is indicated by the attached form. Defects may be recorded which do not because of their character or degree, indicate that a certificate of physical fitness should be denied. The presence, however, of these defects should be discussed with the applicant and he should be encouraged to take the necessary steps to insure correction particularly of those which if neglected might lead to a condition likely to affect his ability to drive safely. Careful inquiry regarding past illness, the character and date of such illness, may reveal cause for defects found upon physical examination. Lack of knowledge concerning the etiology of certain defects may result in the rejection for employment. Such data also may indicate the need for making certain laboratory tests.

General Appearance and Development: Note marked underweight or overweight; any posture defects; perceptible limp, anemia, tremor or other form of nervousness such as might be caused by chronic alcoholism, thyroid intoxication, or other illnesses. The regulations of the Interstate Commerce Commission provide that no driver shall be addicted to the use of narcotics or habit-forming drugs, or the excessive use of alcoholic liquors or beverages.

Head: Eyes: The telebinocular, Snellen chart, and other approved tests may be used to measure visual acuity. It is desired, however, when other than the Snellen chart is used, that the results of such test be expressed in values comparable to the standard Snellen test. If applicant wears glasses, these should be worn while applicant's visual acuity is being tested. Indicate on record by checking the applicable phrase on form "without glasses" or "with glasses if worn." In recording distance vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, corneal scar, exophthalmos or stabismus uncorrected by glasses.

Ears: Note evidence of mastoid or middle ear disease; discharge. In recording hearing, record 20 feet as normal distance for conversational voice and record deviation from normal as fraction with 20 feet as denominator and actual distance as numerator.

Mouth: Note evidence of infection, pyorrhea.

Throat: Note evidence of disease, enlarged or infected tonsils.

Thorax: Heart: Stethoscopic examination is required. Note murmurs and arrhythmias. Electro-cardiogram is required when other findings indicate desirability.

Blood pressure: May be recorded with either spring or mercury column type of sphygmomanometer.

Pulse. Normal pulse taken after being seated at least two minutes, then have applicant stand and placing one foot on the seat of an ordinary chair raise his body to an erect position 20 times in 30 seconds. Pulse rate should return to his normal after two minutes' rest. Because of abnormal conditions, some applicants will be unable to do this. This test has been found helpful in ascertaining physical ability for work.

Lungs: It is necessary that the ausculatory cough be used. Tuberculosis, if suspected, state whether active or arrested, and if arrested, your opinion as to how long it has been quiescent. Sputum to be examined for tubercle bacilli in all suspected cases.

Abdomen: Scars: If present, state whether recent and if abnormally tender or if there is any evidence of hernia at the site of scar.

Abnormal masses: If present, note tenderness and whether or not individual knows how long they have been present.

Tenderness: When noted, state where most pronounced and cause suspected.

Hernia: Note whether no hernia, but impulse on coughing; no hernia or impulse, but abnormally large rings. Any hernia should be noted and if present, state whether it is retained by well-fitted truss.

Genito-Urinary: When scars or urethral discharge are present, indicate patient's reason for same and when indicated submit smear of discharge to laboratory for examination.

Reflexes: If positive Rhomberg is reported, indicate degree. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following light blow upon the patella; otherwise as normal.

Extremities: Be sure to record loss of foot, leg, fingers, hand or arm, or impairment of use thereof, or other structural defect or limitation, likely to interfere with safe driving.

Upper: Note deformities and limitation of motion.

Lower: Note deformities, limitation of motion; varicose veins.

In case of hand deformities, note particularly whether or not sufficient grip is present to enable driver to secure a grip on the wheel. Record chronic ulcers. Note any atrophy or paralysis.

Spine: Note deformities and limitation of motion.

Laboratory findings: Urine analysis is indicated whenever systolic blood pressure is over 150 and diastolic over 100 and such other times as medical history or findings upon physical examination may indicate that they are necessary. A serological test should always be taken in case of those giving history of luetic infection or present physical findings upon examination presenting possibility of latent syphilis.

Upon completion of the examination, physician should always date and sign his record of the same.

PERTINENT EXCERPTS FROM THE RULES AND REGULATIONS FOR THE LICENSING OF OPERATORS OF SCHOOL BUSES

4. The operator shall have no loss of foot, leg, hand, or arm or impairment of use of foot, leg, fingers, hand, or arm, or other physical defect or limitation likely to interfere with safe driving.

5. He shall have no mental, nervous, organic or functional disease likely to interfere with safe driving, and no history of any heart disease.

6. He shall have no contagious or communicable disease.

7. He shall have visual acuity of at least 20/40 (Snellen) in each eye either without lenses or by correction with lenses; form field of vision in the horizontal meridian shall not be less than a total of 140°; ability to distinguish colors red, green, and yellow, drivers requiring correction by lenses shall wear properly prescribed lenses at all times when driving, provided, however, that a visual acuity either without lenses or by correction with lenses of at least 20/40 in one eye and 20/100 in other eye will be acceptable, provided further that the reading with both eyes together shall be at least 20/40 corrected.

8. His hearing shall not be less than 10/20 in the better ear, for conversational tones without a hearing aid.

9. He shall not be addicted to the use of narcotics or habit forming drugs, or tranquilizers or stimulants or the excessive use of alcoholic beverages or liquors.

*For qualification as a school bus driver, instructor must fill out and sign this section.
This is to certify that the applicant herein named has been trained by me in accordance with the requirements of Chapter 878 of the Acts of 1975.

Print: _____ Date: _____
Name of Qualified School Bus Driver Instructor

Signature: _____
Signature of Instructor

Approved ☐
Rejected ☐

Inspector

Date .....

Application for License to Drive Motor Buses

The Commonwealth of Massachusetts
Department of Public Utilities
Division of Railway and Bus Utilities
100 Cambridge Street
Boston, MA 02202

Applicant must submit five-year driving record from the Registrar of Motor Vehicles

Check one and enclose proper fee: (check or money order)

☐ Motor Bus License
2 years $20 + Examination Fee $5

☐ Motor Bus and School Bus* License
1 year $10 + Examination Fee $5

☐ Driver—70 years of age or older
6 months $5+ Examination Fee $5

Each question Must Be Answered in Ink or Typed

1. Name in full (print):

_____
Last First Middle

2. Address: _____
Street and Number

_____
City or Town State Zip

Date of Birth ____/____/____ Age _____
Month Day Year

3. Social Sec. No./Mass. Lic. No. _____
Registry Lic. Expiration Date _____

4. State classification of license issued by the Registrar of Motor Vehicles 1. ☐ 2. ☐ 3. ☐
Learner's Permit #

5. Have you held a driver's license for 3 consecutive years?
yes ☐ no ☐

6. Has your right to operate or has your license been suspended or revoked in Massachusetts during the past five years? _____
If so, give details, year, etc. on an attached sheet.

7. Give name of present or prospective employer.

_____

8. List any and all Restrictions: use code ☐☐☐☐
Restriction codes
1. Corrective lenses
2. Corrective hearing appliance
3. Restricted to driving vehicles that carry 16 passengers or less
4. DPU specific restrictions

Doctor's Certification of Physical Condition must be completed for valid application. (See reverse side)

THIS STATEMENT IS MADE UNDER THE PENALTIES OF PERJURY. I, the undersigned, hereby apply for a license to drive motor buses and state that the statements herein made are true to the best of my knowledge and belief. _____
Date

_____
Signature of Applicant

This certification must be filled out by the examining doctor. Copies of the medical form shall be retained by the applicant's employer and the examining doctor.

Doctor's Certification of Physical Condition

This is to certify that _____ Date of Birth ____/____/____
Month Day Year

Present height _____ feet _____ inches. Weight _____ pounds

Color of hair _____ Color of eyes _____

Has this date (_____ 19____) been examined by me in accordance with the physical examination procedure prescribed by the Massachusetts Department of Public Utilities and was found to be:

☐ Qualified under said rules ☐ Qualified only when wearing eyeglasses ☐ Qualified only when wearing hearing aid

I have on file in my office at _____
Street City or Town State

a completed examination form for this person.

_____
Signature of Examining Doctor

U-R-B-4 JUN-9/85 800501

MP DL 127

REGISTRY OF MOTOR VEHICLES
DRIVER LICENSING SECTION
100 Nashua Street, Boston, Mass. 02114

COMMONWEALTH OF MASSACHUSETTS

RENEWAL APPLICATION FOR SCHOOL BUS OPERATOR'S LICENSE _____ $_____

Application must be completed in ink
please print or by typewriter

Approved _____

NOT Approved _____

ALL QUESTIONS MUST BE ANSWERED. INDICATE "YES" or "NO" by MARKING "X" ON THE LINE IN THE PROPER COLUMN. (When necessary give details on other side of sheet.)

1. NAME _____
   Address _____ City _____
   State _____ Zip Code _____ Phone _____ Area Code _____
2. DATE OF BIRTH _____ Color of Eyes _____ Color of Hair _____
   Height _____ Weight _____ Sex _____ Birthplace _____
   Father's Name _____ Mother's Maiden Name _____
3. LICENSE NUMBER _____ Class _____ Issued _____ Expires _____

	YES	NO
4. Were you LESS than seventy (70) years of age on your last birthday?.....		
5. Have you held a Mass. SCHOOL BUS OPERATOR'S LICENSE previously? (not a D.P.U.lic)		
A. If so, fill in: DATE OF ISSUE _____		
B. Has your Mass. School Bus Operator's License expired more than 3 YEARS?....		
6. Do you NOW hold either a VALID class 1 or 2 Mass. Operator's License?.....		
7. Is your Mass. Operator's License under Suspension or Revocation?		
If yes give details on other side.		
8. Since your last application for a school Bus Operator's License have you been charged or convicted of any crime (Including Motor Vehicles) or have you any charges or violation pending against you in court?.....		
If yes, give DATE _____ CHARGE _____ COURT _____		
9. Have you been involved in any motor vehicle accident causing property damage or personal injury during the past two (2) years which you did not report previously on your SCHOOL BUS OPERATOR'S LICENSE APPLICATION?.....		
If "YES", attach a photostatic copy of the report on file with the POLICE or secure a blank copy of "OPERATOR'S REPORT OF MOTOR VEHICIE TRAFFIC ACCIDENT" at any Police or Registry Office, fill it out and attach it to this application.		

FEES

RENEWAL OF SCHOOL BUS OPERATOR'S LICENSE WHICH HAS NOT EXPIRED FOR MORE THAN THREE (3) YEARS: TOTAL $7.50

****

NOTE: DO NOT MAIL CASH

Attach Check or Money Order to completed application and Medical Report and mail to REGISTRY OF MOTOR VEHICLES 100 Nashua Street, Boston, Massachusetts 02114
ATTENTION: DRIVER LICENSING SECTION. All future inquiries or correspondence should be mailed to this address.
APPLICANTS MUST SUBMIT TO A PHYSICAL EXAMINATION BEFORE A LICENSED PHYSICIAN WITHIN THREE (3) MONTHS OF THE DATE OF APPLICATION. PHYSICIAN MUST COMPLETE FORM "E-31". (Last page of Application.)
DEPARTMENT OF PUBLIC UTILITIES MEDICAL REPORT FORMS WILL NOT BE ACCEPTED.

I hereby swear or affirm that I am the applicant for a SCHOOL BUS OPERATOR'S LICENSE and that the information contained herein is true.

_____ DATE _____
SIGNATURE

FALSE STATEMENTS ARE PUNISHABLE BY FINE, IMPRISONMENT OR BOTH (CHAP. 90, SEC. 24)

COMMONWEALTH OF MASSACHUSETTS
REGISTRY OF MOTOR VEHICLES
DRIVER LICENSING SECTION
100 Nashua Street
Boston, Mass. 02114 MP-DL-95

PHYSICAL EXAMINATION OF APPLICANT FOR SCHOOL BUS OPERATOR'S LICENSE

* * *

EXAMINATION MUST BE CONDUCTED WITHIN THREE (3) MONTHS OF DATE OF THE APPLICATION

MUST BE COMPLETED IN INK (PLEASE PRINT) OR BY TYPEWRITER

DATE _____

NAME _____
(Last) (First) (Middle)

PRESENT ADDRESS _____
(Number) (Street) (City) (State)

SOCIAL SECURITY ACCT NO.: _____ Month: _____ Day ____ Year: ____ AGE: ____ . _____
Date of Birth) (Place of Birth)

HEALTH HISTORY

Are you subject to: BLACKOUTS, FAINTING SPELLS, LOSS OF CONSCIOUSNESS OR MUSCULAR CONTROL? Yes ☐ No ☐

IF SO, PLEASE EXPLAIN: _____

YES	NO		YES	NO		YES	NO	
☐	☐	Head or spinal injuries (severe)	☐	☐	Syphilis	☐	☐	Kidney disease
☐	☐	Convulsions (fits, epilepsy)	☐	☐	Gonorrhea	☐	☐	Suffering from incurable disease
☐	☐	Encephalitis (sleeping sickness)	☐	☐	Diabetes			
☐	☐	Ever confined as chronic invalid	☐	☐	Stomach ulcer	☐	☐	Permanent defect as result of disease or accident
☐	☐	Heart disease	☐	☐	Rheumatic fever			
☐	☐	Tuberculosis	☐	☐	Asthma			

PHYSICAL EXAMINATION

DOCTOR: Please fill in readings or findings for each item, especially those items, "BOXED" . . . .
(See Other Side for *Minimum* physical qualifications and other requirements)

General Appearance and Development: GOOD _____ FAIR _____ POOR _____

HEIGHT _____ WEIGHT _____

PLEASE CHECK ONE:

HEAD: ☐ (Without glasses)
☐ (With glasses, if worn)

EYES: For Distance: Right 20/ Left 20/ Both 20/

Evidence of disease or injury: Right _____ Left _____

Color Vision Horizontal field of vision (in degrees only): Right ° Left °

Ears: Hearing, 20 ft. (without hearing aid) Right ear /20 Left ear /20

Disease or injury _____

Mouth _____ Throat _____

THORAX:

Heart _____

If organic disease is present, is it fully compensated? _____

Blood pressure (sitting): Systolic reading _____ Diastolic reading _____

Pulse: Before exercise _____ Two minutes' rest after exercise _____

Lungs: _____

Abdomen:

Scars _____ Abnormal masses _____ Tenderness _____

Hernia: Yes _____ No _____ If so, where? _____ Is truss worn? _____

Genito-Urinary:

Scars _____ Urethral discharge _____

Reflexes: _____

Rhomberg _____

Pupillary _____ Light R _____ L _____ Accommodation R _____ L _____

Knee Jerks: Right: Normal _____ Increased _____ Absent _____
Left: Normal _____ Increased _____ Absent _____

Extremities:

Upper _____

Lower _____

Spine _____

LABORATORY FINDINGS: (Required when necessary to complete Physician's diagnosis of certain conditions)

Urine: Spec. Gr. _____ Alb _____ Sugar _____

Blood serology _____

Chest X-ray _____

* * *

I HEREBY CERTIFY THAT MY EXAMINATION OF THE APPLICANT DISCLOSES NO PHYSICAL DISABILITY, DEFECT, IMPAIRMENT OR LIMITATION WHICH WOULD INTERFERE WITH THE PROPER OPERATION OF A SCHOOL BUS.

DATE EXAMINED

SIGNATURE OF EXAMINING DOCTOR

ADDRESS

*For qualification as a school bus driver, instructor must fill out and sign this section.
This is to certify that the applicant herein named has been trained by me in accordance with the requirements of Chapter 878 of the Acts of 1975.

Print: _____ Date: _____
Name of Qualified School Bus Driver Instructor

Signature: _____
Signature of Instructor

RENEWAL
Application for License to Drive Motor Buses

The Commonwealth of Massachusetts
Department of Public Utilities
Division of Railway and Bus Utilities
100 Cambridge Street
Boston, MA 02202

Check one and enclose proper fee: (check or money order)

☐ Motor Bus License
2 years $20.

☐ Motor Bus and School Bus* License
1 year $10.

☐ Driver—70 years of age or older
6 months $5.

Each question Must Be Answered in Ink or Typed

1. Name in full (print):

_____
Last First Middle

2. Address: _____
Street and Number

_____
City or Town State Zip

Date of Birth ____/____/____ Age _____
Month Day Year

3. Social Sec. No./Mass. Lic. No. _____
Registry Lic. Expiration Date _____

4. State classification of license issued by the Registrar of Motor Vehicles 1. ☐ 2. ☐ 3. ☐

5. Have you held a driver's license for 3 consecutive years?
yes ☐ no ☐

6. Has your right to operate or has your license been suspended or revoked in Massachusetts during the past five years? _____
If so, give details, year, etc. on an attached sheet.

7. Give name of present or prospective employer:

_____

8. List any and all Restrictions: use code ☐☐☐☐

Restriction codes
1. Corrective lenses
2. Corrective hearing appliance
3. Restricted to driving vehicles that carry 16 passengers or less
4. DPU specific restrictions

Doctor's Certification of Physical Condition must be completed for valid application. (See reverse side)

THIS STATEMENT IS MADE UNDER THE PENALTIES OF PERJURY. I, the undersigned, hereby apply for a license to drive motor buses and state that the statements herein made are true to the best of my knowledge and belief. _____
Date

_____
Signature of Applicant

This certification must be filled out by the examining doctor. Copies of the medical form shall be retained by the applicant's employer and the examining doctor. •

Doctor's Certification of Physical Condition

This is to certify that _____ Date of Birth ____/____/____
Month Day Year

Present height _____ feet _____ inches. Weight _____ pounds.

Color of hair _____ Color of eyes _____

Has this date (_____ 19____) been examined by me in accordance with the physical examination procedure prescribed by the Massachusetts Department of Public Utilities and was found to be:

☐ Qualified under said rules ☐ Qualified only when wearing eyeglasses ☐ Qualified only when wearing hearing aid

I have on file in my office at _____
Street City or Town State

a completed examination form for this person.

_____
Signature of Examining Doctor

U-R-B-4 15M-9/85 800501

SEND ORIGINAL TO:
REGISTRAR OF MOTOR VEHICLES
100 NASHUA STREET
BOSTON, MASS. 02114
ONE COPY TO
POLICE DEPARTMENT in whose jurisdiction the accident occurred.

MUST TYPE OR PRINT

COMMONWEALTH OF MASSACHUSETTS
OPERATOR'S REPORT OF MOTOR VEHICLE ACCIDENT

REGISTRY USE ONLY

Was this Accident investigated by an Officer? If Yes, Check One Box Below
1 ☐ Registry 2 ☐ MDC 3 ☐ Other 4 ☐ State Police 5 ☐ Local Police

Date of Accident Mo Day Yr	Day of the Week S M T W T F S (1 2 3 4 5 6 7)	A M ☐ 1 P M ☐ 2	Hour	Have you completed a Mass driver education course YES ☐ 1 NO ☐ 2

VEHICLE 1

Name of Operator Making Report		Number of Vehicles Involved	Date of Birth MO DAY YR / Sex 1 ☐ M 2 ☐ F
Street Address / City/Town / State / Zip			Driver's License Number and State
Owners Name and Address (if same, write "same")			Registration Number and State
Name of Insurance Company only may be written here	Year	Make / Type	Approximate Cost to Repair $
Describe Damage to Vehicle		Fire Damage YES 1 ☐ NO 2 ☐	Parked Car YES 1 ☐ NO 2 ☐

VEHICLE 2

Name of Operator			Date of Birth MO DAY YR / Sex 1 ☐ M 2 ☐ F
Street Address / City/Town / State / Zip			Driver's License Number and State
Owners Name and Address (if same write "same")			Registration Number and State
Name of Insurance Company only may be written here	Year	Make / Type	Approximate Cost to Repair $
Describe Damage to Vehicle		Fire Damage YES 1 ☐ NO 2 ☐	Parked Car YES 1 ☐ NO 2 ☐

OTHER

Describe Other Property Damage		Approximate Cost to Repair $
Name of Property Owner	Address	

WITNESSES

Other Witnesses or Persons Present	Address	Phone
		Bus Res
		Bus Res

Number Injured	To what hospital was injured taken?	Taken by Ambulance? YES 1 ☐ NO 2 ☐

INJURED 1

Name of Injured / Street / City/Town / State

Age / Sex 1 ☐ M 2 ☐ F	INJURY SEVERITY	RESTRAINT SYSTEMS	PERSON INJURED
Ejected from Vehicle 1 YES ☐ 2 NO ☐	1 ☐ Killed 2 ☐ Serious Visible Injury 3 ☐ Minor Visible Injury 4 ☐ No Visible Injury but Complaints of Pain	1 ☐ Safety Belt Used 2 ☐ Child Restraint Used 3 ☐ Helmet Used 4 ☐ Air Bag Used	1 ☐ Operator, 2 ☐ Passenger — In Vehicle No ____ 3 ☐ Passenger In Train, Bus, Etc 4 ☐ Operator, 5 ☐ Passenger — On Motorcycle 6 ☐ Pedestrian, 7 ☐ Bicyclist, 8 ☐ Moped, 9 ☐ Other

INJURED 2

Name of Injured / Street / City/Town / State

Age / Sex 1 ☐ M 2 ☐ F	INJURY SEVERITY	RESTRAINT SYSTEMS	PERSON INJURED
Ejected from Vehicle 1 YES ☐ 2 NO ☐	1 ☐ Killed 2 ☐ Serious Visible Injury 3 ☐ Minor Visible Injury 4 ☐ No Visible Injury but Complaints of Pain	1 ☐ Safety Belt Used 2 ☐ Child Restraint Used 3 ☐ Helmet Used 4 ☐ Air Bag Used	1 ☐ Operator, 2 ☐ Passenger — In Vehicle No ____ 3 ☐ Passenger In Train, Bus, Etc 4 ☐ Operator, 5 ☐ Passenger — On Motorcycle 6 ☐ Pedestrian, 7 ☐ Bicyclist, 8 ☐ Moped, 9 ☐ Other

INJ D 3

Name of Injured / Street / City/Town / State

Age / Sex 1 ☐ M 2 ☐ F	INJURY SEVERITY	RESTRAINT SYSTEMS	PERSON INJURED
Ejected from Vehicle 1 YES ☐ 2 NO ☐	1 ☐ Killed 2 ☐ Serious Visible Injury 3 ☐ Minor Visible Injury 4 ☐ No Visible Injury but Complaints of Pain	1 ☐ Safety Belt Used 2 ☐ Child Restraint Used 3 ☐ Helmet Used 4 ☐ Air Bag Used	1 ☐ Operator, 2 ☐ Passenger — In Vehicle No ____ 3 ☐ Passenger In Train, Bus, Etc 4 ☐ Operator, 5 ☐ Passenger — On Motorcycle 6 ☐ Pedestrian, 7 ☐ Bicyclist, 8 ☐ Moped, 9 ☐ Other

E23 REV 1.000M-8/84-3126-800571

BE SURE TO COMPLETE AND SIGN REPORT ON REVERSE SIDE

NOTE: Mark all items which apply. The diagram and description of what happened (below) need not be completed if separate 8½ x 11 size sheet with same detailed information is attached. Please sign report in space provided below.

LOCATION

City or Town Where Accident Occurred

Nearest Mile Marker

Number of Lanes

At Rotary: YES 1 ☐ NO 2 ☐

If Accident Occurred on Ramp
Fill in Below:
1 ☐ On ramp to route number _____ going N S E W ☐☐☐☐
2 ☐ On ramp from route number _____ going N S E W ☐☐☐☐

Street Name or Route Number

at intersection with

Which direction was each vehicle traveling?
Vehicle No 1 N S E W ☐☐☐☐ No 2 N S E W ☐☐☐☐

Or — If not at intersection, fill in below
_____ feet N S E W ☐☐☐☐ Of nearest intersection, bridge mile marker, railroad

Other Landmarks: _____

TYPE

Accident Involved Collision With

1 ☐ Pedestrian
2 ☐ Motor Vehicle in Traffic
3 ☐ Motor Vehicle Parked
4 ☐ Railroad Train
5 ☐ Ran off roadway hit fixed object _____ feet from road
6 ☐ Bicycle
7 ☐ Overturned in road
8 ☐ Ran off roadway — non-collision
9 ☐ Fixed object on shoulder, sidewalk or island
A ☐ School Bus
B ☐ Truck
C ☐ Moped
D ☐ Other

If collision involved two or more vehicles mark one of the following
1 ☐ Rear End 2 ☐ Angle 3 ☐ Head On

COLLISION CONDITIONS

What were vehicles doing prior to accident? Mark appropriate box

	Vehicle 1	Vehicle 2	
1			Making right turn
2			Making left turn
3			Making U turn
4			Going straight ahead
5			Passing on right
6			Passing on left
7			Stop sign
8			Skidding
9			Slowing or stopping
A			Crossing median strip
B			Driverless moving vehicle
C			Backing
D			Starting in traffic
E			Starting from parked position
F			Parked
G			Stalled or disabled
H			Stalled or disabled with flasher on
J			In process of parking
K			Entering or exiting from alley or driveway
L			Making right turn on red
M			Entering median
N			Crossed median
O			Other

Where was pedestrian located at time of accident? Mark appropriate box

	X	
1		At intersection
2		Within 300 feet of intersection
3		More than 300 feet from intersection
4		Walking in street with traffic
5		Walking in street against traffic
6		Standing in street
7		Getting on/off vehicle
8		Working on vehicle
9		Working in street
A		Playing in street
B		Not in street
C		Other

TRAFFIC CONTROLS

	X	
1		Stop sign
2		Yield sign
3		Warning sign
4		Signal light
5		Officer or flagman
6		Railroad crossing gate
7		Railroad automatic signal
8		Control device not working
9		No control present
A		No turn on red

ROAD SURFACE

	X	
1		Dry
2		Wet
3		Snowy
4		Icy
5		Other

ROAD CONDITIONS

	X	
1		No Defects
2		Holes ruts bumps
3		Foreign matter on surface
4		Defective shoulder
5		Road under construction
6		Other

COLLISION CONDITIONS

	X	
1		Hit median barrier
2		Hit guard rail
3		Hit curbing
4		Hit abutment
5		Hit signpost
6		Hit utility or light pole
7		Hit tree
8		Embankment
9		Ditch
A		Rock ledge
B		Stone wall
C		Bridge rail
D		Other

LIGHT CONDITIONS

	X	
1		Daylight
2		Dawn or dusk
3		Darkness — road lighted
4		Darkness — road unlighted

WEATHER CONDITIONS

	X	
1		Clear
2		Foggy
3		Cloudy
4		Rain
5		Snow
6		Sleet

DIAGRAM

INDICATE NORTH BY ARROW

INDICATE ON THIS DIAGRAM WHAT HAPPENED

Use one of these outlines to sketch the scene of your accident, writing in street or highway names or numbers

1 Number each vehicle and show direction of travel by arrow

2 Use solid line to show path before accident, dotted line after accident

3 Show pedestrian by

4 Show railroad by

5 Show distance and direction in landmarks, identify landmarks by name or number

6 Indicate north by arrow, as

Describe What Happened (Refer to Vehicles by Number)

FORM E-56. 194-11-76-392-694198

REGISTRY OF MOTOR VEHICLES

REPORT OF INVESTIGATOR AND EXAMINER

TYPE OF CASE

DATE TIME

LOCALITY

OPERATOR

Date of Birth LIC. Exp.

OWNER

Reg. Exp. LIC. Exp.

Make Type

OPERATOR

Date of Birth LIC. Exp.

OWNER

Reg. Exp. LIC. Exp.

Make Type

OPERATOR

Date of Birth LIC. Exp.

OWNER

Reg. Exp. LIC. Exp.

Make Type

COURT ACTION

CONCLUSION

RECOMMENDATION

DATE _____ *Inspector.*

FORM E-56A. 25M-11-70-6467 98

DESCRIPTION OF LOCATION AND ROAD CONDITIONS

FACTS OF CASE

Sex | *Persons Injured* | Age—Minor | Serious | Fatal

( ) .....
( ) .....
( ) .....
( ) .....
( ) .....
( ) .....

Book No. Persons interviewed:

SCHOOL BUS INSPECTION REPORT

REGISTRY OF MOTOR VEHICLES, VEHICLE INSPECTION SECTION, BOSTON, MASSACHUSETTS

INSTRUCTIONS TO INSPECTOR. Fill out this form in quadruplicate. The canary copy is to be handed to the bus operator to be given by him to the Superintendent of Schools. The pink copy is for your local office file, and the white copy is to be mailed or brought to the Vehicle Inspection Section in the Boston Office. Issue an inspection sticker only if the bus is in compliance with all Inspection Requirements. The goldenrod copy is for the bus owner's record.

OWNER_____

ADDRESS_____

REG. #_____ REG. FEE_____ MAKE AND YEAR OF MANUFACTURE_____ SEATED PUPIL CAPACITY_____

D.P.U. CERTIFICATE YES____ NO____ NUMBER AND TYPE_____ CHARTER____ SPECIAL____ SCHOOL____

TRANSPORTATION IN_____

DETAILS OF INSPECTION

____ BATTERY
____ BODY CONSTRUCTION
____ BUMPERS
____ CHASSIS
____ CHOCK BLOCKS
____ COLOR
____ DEFROSTER
____ DRIVER SEAT BELT
____ DRIVE SHAFT GUARDS
____ EMISSION CONTROL DEV.
____ EMERGENCY EXIT
____ EXHAUST SYSTEM
____ FIRE EXTINGUISHER
____ FIRST AID KIT
____ FLAGS AND FLARES
____ FUEL SYSTEM
____ GENERAL CONDITION
____ HEATER
____ HOLDS FOR STANDEES
____ HORN
____ INSIDE HEIGHT
____ INSTRUMENTS
____ LAMPS BLINKER
____ CLEARANCE
____ HEAD
____ INTERIOR
____ PLATE
____ STOP
____ TAIL
____ TURN SIGNAL
____ MIRRORS
____ PARKING BRAKE SYSTEM
____ REFLECTOR
____ REGISTRATION PLATES
____ REAR WINDOWS
____ SAFETY GLASS
____ SEATING
____ SERVICE BRAKE SYSTEM
____ SERVICE ENTRANCE
____ SIGNS
____ STEERING GEAR
____ TIRES
____ WEIGHT DISTRIBUTION
____ WINDOW OPENINGS
____ WINDSHIELD
____ WINDSHIELD CLEANER
____ WIRING
____ VENTILATION
____ VEH. IDENTIFICATION #

INSTRUCTIONS TO VEHICLE OWNER/OPERATOR. When the vehicle has passed inspection and an inspection sticker has been issued this report must be forwarded by you to the Superintendent of Schools.

If the vehicle fails inspection you must correct the defects and return this form with the vehicle for reinspection at the place and on the date and time indicated. Failure to correct the defects and report for reinspection will result in removal of the vehicle from service and suspension of its registration.

DATE OF INITIAL INSPECTION_____ INSPECTED AT_____ PASS_____ FAIL_____

REPORT FOR REINSPECTION AT_____ ON_____ AT_____ A.M. P.M.

INSPECTION STICKER ISSUED_____ INSPECTOR_____

REMARKS:

Use reverse side for additional remarks.

FORM E86-50M 4-79-1870-150883

The Commonwealth of Massachusetts
Department of Education

1385 Hancock Street, Quincy, Massachusetts 02169

FROM: Leo P. Turo, Director
Bureau of School Management

SUBJECT: Department of Labor and Industries
Procedural Steps For Establishing
School Bus Operator Rates - Chapter 71,
Section 7A

Chapter 71, Section 7A of the General Laws of Massachusetts reads in part: "...Prior to awarding a contract, the School Committee in a city or in a town having a population of sixteen thousand or over shall request the Commissioner of Labor and Industries to determine the rate of wages to be paid to each person to be employed by the bidder under said contract, and shall forward to the Commissioner a list of jobs to be performed under the contract".

Attached are specifications from the Department of Labor and Industries for establishing school bus operator rates.

The Commonwealth of Massachusetts
Executive Office of Manpower Affairs
Department of Labor and Industries
Division of Industrial Safety
Leverett Saltonstall Building, Government Center
100 Cambridge Street, Boston 02202

PROCEDURAL STEPS FOR ESTABLISHING SCHOOL BUS OPERATOR RATES

CHAPTER 71, SECTION 7A

1. Initial letter from school committee or superintendent requesting prevailing rates for school bus contract.

2. Letter shall contain the effective dates of the contract; i.e., 1980-1983 (presuming September is the start of contract as well as school year).

3. If dates are not listed, reguest confirmation of dates in writing.

4. Review collective bargaining agreements for bus operators in that area (except the 79 cities and towns in MBTA District).

5. If agreements have expired, solicit new agreements from carriers in that area.

6. Establish prevailing rates in accordance with the agreements for bus operators in that area.

7. If no collective bargaining agreement exists, determine "dominant" carrier servicing the city or town (same procedure as used under Chapter 149, Section 27). Log information on initial letter for future use and verification.

8. Establish rate on proper form and mail. Attach copy of rate to the initial letter and file.

Note:

a. If city/town requesting rates is located within the MBTA District, use established "mean average" (for exceptions see map).

b. If the rate is for a regional school district where the total population is over 16,000, the wage rate provisions of the General Laws would apply.

c. The transportation of exceptional children is covered by Section 46B, Chapter 71; or for other athletic or special activities, and no rates are applicable for those engaged in such work unless these activities are included in the regular school busing contract.

The text of **STANDARD 17:**

I. **Scope**

This standard establishes minimum requirements for a State highway safety program for pupil transportation safety; including the identification, operation, and maintenance of school buses; training of personnel; and administration.

II. **Purpose**

The purpose of this standard is to reduce, to the greatest extent possible, the danger of death or injury to school children while they are being transported to and from school.

III. **Definitions**

"Type I school vehicle" means any motor vehicle with motive power, except a trailer, used to carry more than 16 pupils to and from school. This definition includes vehicles that are at any time used to carry schoolchildren and school personnel exclusively, and does not include vehicles that only carry school children along with other passengers as part of the operations of a common carrier.

"Type II school vehicle" means any motor vehicle used to carry 16 or less pupils to or from school. This does not include private motor vehicles used to carry members of the owner's household.

IV. **Requirements**

Each State, in cooperation with its school districts and its political subdivisions, shall have a comprehensive pupil transportation safety program to assure that school vehicles are operated and maintained so as to achieve the highest possible level of safety.

A. **Administration**

1. There shall be a single State agency having primary administrative responsibility for pupil transportation and employing at least one full-time professional to carry out its responsibilities for pupil transportation.

2. The responsible State agency shall develop an operating system for collecting and reporting information needed to improve the safety of school vehicle operations, in accordance with Safety Program Standard No. 10, "Traffic Records," §204.4.

B. **Identification and equipment of school vehicles**

Each State shall establish and maintain compliance with the following requirements for identification and equipment of school vehicles. The use of stop arms is at the option of the State.

1. **Type 1 School vehicles shall:**

   a. Be identified with the words, "School Bus", printed in letters not less than eight (8) inches high, located between the warning signal lamps as high as possible without impairing visibility of the lettering from both front and rear, and have no other lettering on the front or rear of the vehicle;

   b. Be painted National School Bus Glossy Yellow, in accordance with the colorimetric specification of Federal Standard No. 595a, Color 134x32, except that the hood shall be either that color or lusterless black, matching Federal Standard No. 595a, Color 37038;

   c. Have bumpers of glossy black, matching Federal Standard No. 595a, Color 17038; unless, for increased night visibility, they are covered with a retroflective material;

   d. Be equipped with a system of signal lamps that conforms to the schoolbus requirements of Federal Motor Vehicle Safety Standard 108, 49 CFR 571.21.; and

   e. Have a system of mirrors that will give the seated driver a view of the roadway to each side of the bus, and of the area immediately in front of the front bumper, in accordance with the following procedure:

      When a rod, 30 inches long, is placed upright on the ground at any point along a traverse line 1 foot forward of the forwardmost point of a schoolbus, and extending the width of the bus, at least 7-1/2 inches of the length of the rod shall be visible to the driver, either by direct view of by means of an indirect visibility system.

2. Any school vehicle meeting the identification requirements of 1.a-d above that is permanently converted for use wholly for purposes other than transporting pupils to or from school shall be painted a color other than National School Bus Glossy Yellow, and shall have the stop arms, and equipment required by section IV.B.1.d. removed.

3. Type I school vehicles being operated on a public highway and transporting primary passengers other than school pupils shall have the words "School Bus", covered, removed, or otherwise concealed, and the stop arms and equipment required by section IV.B.1.d. shall not be operable through the usual controls.

4.a. **Type II school vehicles shall either:**

(1) Comply with all the requirements for Type I school vehicles; or

(2) Be of a color other than National School Bus Glossy Yellow, have none of the equipment specified in IV.B.1.d., and not have the words, "School Bus", in any location on the exterior of the vehicle, or in any interior location visible to a motorist.

4.b. The State shall establish conditions under which one or the other of the above two specifications for Type II vehicles shall apply.

C. **Operation**

Each State shall establish and maintain compliance with the following requirements for operating school vehicles:

1. **Personnel**

a. Each state shall develop a plan for selecting, training, and supervising persons whose primary duties involve transporting school pupils, in order to assure that such persons will attain a high degree of competence in, and knowledge of, their duties.

b. Every person who drives a Type I or Type II school vehicle occupied by school pupils shall, as a minimum:

(1) Have a valid State driver's license to operate such a vehicle(s);

(2) Meet all special physical, mental, and moral requirements established by the State agency having primary responsibility for pupil transportation; and

(3) Be qualified as a driver under the Motor Carrier Safety Regulations of the Federal Highway Administration 49 CFR 391, if he or his employer is subject to those regulations.

2. **Pupil instruction**

At least twice during each school year, each pupil who is transported in a school vehicle shall be instructed in safe riding practices, and participate in emergency evacuation drills.

3. **Vehicle operation**

a. Each State shall develop plans for minimizing highway use hazards to school vehicle occupants, other highway users, pedestrians, and property, including, but not limited to:

(1) Careful planning and annual review of routes for safety hazards;

(2) Planning routes to assure maximum safety;

(3) Providing loading and unloading zones off the main traveled part of highways, wherever it is practicable to do so;

(4) Establishing restricted loading and unloading areas for schoolbuses at, or near schools;

(5) Requiring the driver of a vehicle meeting or overtaking a schoolbus that is stopped on a highway to take on or discharge pupils, and on which the red warning signals specified in IV.B.1.d. are in operation, to stop his vehicle before it reaches the schoolbus and not proceed until the warning signals are deactivated; and

(6) Prohibiting, by legislation or regulation, operation of any vehicle displaying the words, "School Bus", unless it meets the equipment and identification requirements of this standard.

b. Use of flashing warning signal lamps while loading or unloading pupils shall be at the option of the State. Use of red warning signal lamps for any other purpose, and at any time other than when the school vehicle is stopped to load or discharge passengers shall be prohibited.

c. When vehicles are equipped with stop arms, such devices shall be operated only in conjunction with red signal lamps.

d. **Seating**

(1) Seating shall be provided that will permit each occupant to sit in a seat in a plan view lateral location, intended by the manufacturers to provide seating accommodation for a person at least as large as a 5th percentile adult female, as defined in 49 CFR 571.3.

(2) Bus routing and seating plans shall be coordinated so as to eliminate standees when a school vehicle is in motion.

(3) There shall be no auxiliary seating accommodations such as temporary or folding jump seats in school vehicles.

(4) Drivers of school vehicles equipped with lap belts shall be required to wear them whenever the vehicle is in motion.

(5) Passengers in Type II school vehicles equipped with lap belts shall be required to wear them whenever the vehicle is in motion.

D. **Vehicle maintenance**

Each State shall establish and maintain compliance with the following requirements for vehicle maintenance:

1. School vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance program.

2. All school vehicles shall be inspected at least semiannually, in accordance with Highway Safety Program Manual Vol. 1, published by the Department of Transportation, January 1969. School vehicles subject to the Motor Carrier Safety Regulations of the Federal Highway Administration shall be inspected and maintained in accordance with those regulations (49 CFR Parts 393 and 396).

3. School vehicle drivers shall be required to perform daily pretrip inspections of their vehicles, and to report promptly and in writing any defects or deficiencies discovered that may affect the safety of the vehicle's operation or result in its mechanical breakdown. Pretrip inspection and condition reports for school vehicles subject to the Motor Carrier Safety Regulations of the Federal Highway Administration shall be performed in accordance with those regulations (49 CFR 392.7, 392.8 and 396.7).

V. **Program Evaluation**

The pupil transportation safety program shall be evaluated at least annually by the State agency having primary administrative responsibility for pupil transportation. The National Highway Traffic Safety Administration shall be furnished a summary of each evaluation.

dcg

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Cover Design, Dr. Leo P. Turo, Director
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